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HAZARD'S

# REGISTER OF PENNSYLVANIA.

DEVOTED TO THE

PRESERVATION OF FACTS AND DOCUMENTS,

AND EVERY KIND OF

USEFUL INFORMATION

RESPECTING THE STATE OF PENNSYLVANIA.

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EDITED BY SAMUEL HAZARD.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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PHILADELPHIA, JULY 2, 1831.

NO. 183.

## FIRST ANNUAL REPORT

### *Of the Bucks County Academy of Natural Science.*

The Committee appointed to make and publish the first Annual Report of the commencement, progress and present situation of the Academy, in obedience to a resolution adopted, and in conformity with a custom obtaining in similar institutions, submit the following sketch—

In January, 1829, public attention was first called to the formation of a society for promoting the study of nature in this county by an Editorial paragraph in the *Intelligencer*. In February following, a number of public spirited gentlemen from different parts of the county, met at Doylestown, and resolved that it was expedient to form such a society, and in the same month the draft of a constitution was submitted and adopted. On the 29th of April, following, officers pro tempore were appointed, and in accordance with the adopted draft of the constitution, the first stated meeting of the Academy was held on the 25th of May, 1829; at which the constitution was finally ratified and signed by twenty five members. The spirit which prompted a commencement so promising, stimulated to active exertions for the purpose of surmounting the many difficulties which immediately presented themselves on the untried field we were about entering. Very few of the members had made themselves acquainted with even the rudiments of classification in any branch of natural history. An offer therefore, made by Jonathan C. Jones, one of the youngest, but most zealous admirers of nature, belonging to the Academy, to deliver an introductory public address on the study of Botany, was gladly accepted which was carried into execution on the 6th of June, and thus a new impulse given to the zeal of those who were disposed to foster "the knowledge of things." We cannot refrain from here mentioning the immense loss sustained by the Academy in particular, and by the friends of science generally, in the premature decease of this enterprising and amiable young man. We know we shall again awaken the unavailing sigh of sorrow, with those who had the pleasure of his personal acquaintance, and re-infect the pang of disappointed hope on his bereaved relatives and friends—but we know also that the memory of their sorrows brings also with it the consolatory recollection of inestimable worth and never dying virtue. Before the next annual meeting, the Academy were called also to lament their loss by the death of John Moore, Esq. their first President. Thus deprived almost at the outset of two of their most valuable and efficient members, it began to be feared that our strength would fail—but fortunately the example of Jones had pointed to the true path of successful progress, and at the annual meeting in May, 1830, a series of introductory addresses on several departments of Natural History, was determined on. The gentlemen, to whom this task was assigned, labored diligently to acquaint themselves in a way to be useful—and by these means, a mass of information was obtained and spread abroad, which cannot fail of being highly useful in all our future operations;—and which tended immediately to keep alive the spirit of improvement that had actuated us at the first. A division of the members into classes corresponding with the objects of inquiry soon followed, which when duly appreciated and acted on in the prop-

er spirit of the measure, we trust will be productive of the most beneficial results. Some of our members are now actively prosecuting their researches in accordance with this division of labor, and it is confidently believed that others will be influenced by their example, and by praise worthy ambition to contribute to the common stock of useful information, by judicious observation and the careful treasuring, of natural objects. Many specimens, particularly of minerals have already been obtained, and a taste for the study of the riches of the animal, vegetable and mineral kingdoms, has been widely diffused. Owing to the want of a place specifically appropriated for the purposes of a Cabinet or Museum, we have not been able to embrace in our collection, subjects of the animal and vegetable empires. It is hoped that the liberality of our citizens and the increasing importance of collections of objects in the study of nature, will ere long authorize the appropriation of a room in some of our public buildings to supply this deficiency—or that the increasing public spirit of the citizens of Doylestown, will effect the same purpose in some other mode.

Having thus traced the general view of our labors from the commencement to the present time—having glanced at the greatest difficulty we have yet to provide for, and intimated the possible means by which that provision may be made, we turn to the more particular details of the present situation of the Academy, which at present occupies in common with the Doylestown Library, a room in the Union Academy, which is also often used for various other purposes. Two convenient cases are nearly filled with specimens, principally as above noticed of minerals. The Curators have just finished a scientific arrangement of the most valuable of these specimens, and the study of mineralogy may now be methodically pursued with the advantage of having the distinctive properties of minerals elucidated by reference to the Cabinet. Several valuable works have been procured; and as the room is open every Saturday afternoon, for the use of the Library, we would suggest the propriety of our members taking that opportunity for becoming acquainted with the characteristic difference of mineral substances. It is in contemplation also, to construct a Geological column as fast as the materials can be obtained, and many of them are already in the Cabinet, which will enable the student to embrace at one view the whole theory of this important study. Two of our members are also prosecuting the study of Entomology, particularly with reference to those insects which are injurious, and those which may be made useful to husbandry and domestic economy. One member has undertaken to collect information relative to the natural history of the most valuable fishes that frequent the waters of the county, among which the shad and herring will receive, as they deserve, a large of attention. Several gentlemen commenced in the last summer, the collection and preservation of plants for the purpose of forming a herbarium—they will probably during the present season be able to show a classified collection of plants, embracing all the classes and orders of a complete system of Botany, and also to describe the habitudes and varieties of the most valuable natives of the county. Should these reasonable anticipations be realized—and nothing but a reprehensible remissness on

part of our members can prevent their being realized—we may look forward to our next stated meeting, as one of peculiar interest; as forming a new era in our hitherto somewhat obscured progress. Many of our members will have obtained considerable knowledge of the particular subjects to which they have respectively devoted their chief attention. This knowledge they will be prepared to communicate, and explain by reference to well known objects, or to preserved specimens of those which are more rare, or have been less subject to common observation. We ask in conclusion, to impress upon those of our members particularly, who have imposed on themselves the honorable obligation, of starting forward in the race of science, that to them we look for the fulfilment of our flattering hopes—that diligence and attention will ensure success, and that their reward is sure.

To our distant friends, who have taken an interest in our establishment, we would express our grateful thanks. From several we have received liberal donations and encouraging advice. Jacob Pierce and Peter A. Browne, Esq. of Philadelphia—Joseph J. Lewis, Esq. of Westchester; Jacob Wagner, of Easton, and James Worth, and Froman Manson, of this county—are particularly entitled to remembrance and notice in our catalogue of the patrons of science in the best possible mode of patronizing—by active and liberal assistance in aid of the means of becoming acquainted with nature's works, from the works themselves. Highly valuable presentations of specimens have been received from each of these gentlemen, and from Mr. Brown especially, we have derived much of the knowledge we have attained towards placing a proper value on the articles in our possession. The desire to become acquainted with the natural productions of our country, which is manifested in various places, owes much of its force and intensity to the patriotic labors of this distinguished citizen—but we are aware that we should be doing injustice to his deserts, were we to ascribe this impulse as the chief benefit of those meritorious efforts. A yet greater public service is done by giving that impulse the most favourable direction for the accomplishment of its object, and we yet hope the day will arrive and that right speedily, when this direction will be generally pursued, and the study of the natural sciences, aided by ample collections of natural productions, will become the basis and the support of an enlightened system of public education. When like the industrious bee, our children shall gather treasures from every flowery valley, and like the laborious, find a mine of wealth in every barren hill. And when their intellectual labors, like those of the provident insects, shall each day produce an immediate reward in the sensible increase of their stores of knowledge, and a corresponding expansion of the mind in which those stores are received.

H. MEREDITH,  
J. KELLY,  
E. WILLIAMS, } Committee.

The officers of the Academy for the year 1831, are:

President—WM. H. JOHNSON.

Vice President—SOLOMON WRIGHT.

Recording Secretary—ALBERT SMITH.

Corresponding Secretary—ED. WILLIAMS.

Curators—{ DR. J. S. RICH.

{ JAMES KELLEY.

Treasurer—REV. SAMUEL AARON.

The spotted Catterpillar has committed great ravages in Pennsylvania. Whole forests have been stripped of their leaves. The same reptile has been mischievous in Massachusetts on fruit trees. Some Horticulturists have shaken them from trees, and then tarred the trunks to prevent their ascending.—Hundreds have been found shortly afterwards halted in the tar. They seem to take to plum trees first.

From the *(London) Mechanics' Magazine of April, 1831.*

#### AMERICAN SILK.

Sir—Your readers will have probably observed the notice taken by Mr. Ewart, the ex-member for Liverpool, (in the House of Commons, on the 15th of February,) of the first importation of raw silk from the United States of America; and, likewise, a paragraph in the *Times*, of the 24th of February, on the same subject—a subject of sufficient importance to render a more detailed account interesting, to the numerous readers of your widely circulating journal.

Mr. Duponceau, of Philadelphia, the President of the American Philosophical Society, with his usual foresight and patriotism, long since thought of the advantages that might arise to the United States, from extending the culture of the white mulberry tree, and the propagation of the silk worm, for which the great variety of soil and climate prevailing in these states offer great facilities. But difficulties arose in preparing the silk for the market, which, for a long time, retarded the accomplishment of his views. The earliest successful result was the manufacture in Connecticut, of sewing silk of superior fineness and strength.

Mr. D'Homergue of Nismes, in France, paid a visit to Philadelphia, and afforded Mr. Duponceau an opportunity of carrying his laudable designs into practice, by establishing a filature under his direction; Mr. D'Homergue having previously managed one in Nismes, and seen a good deal of the culture and preparation of silk in France, felt sanguine of its success in America. The result of the first trial has shown, that their labours are likely to be crowned with success.

It was not to be expected that the American operative, first, employed in a new, and to them, strange process, should turn out of their hands an article as well prepared as that furnished by Italy or France, where it has been so long the staple of the country. Yet the sample received has shown, that Mr. D'Homergue's lessons have been addressed to willing and apt scholars, who will, it is hoped, soon equal the reelers of France and Italy.

It may now be stated, that an intelligent gentleman has tried a sample of this silk, in the different process of winding, throwing, and dying, and the result is highly satisfactory—so much so, that he thinks a fine field is open for the culture of the article in America. In quality, he considers it superior to India silk generally, and fully equal to that of Friuli or Trent. He had some of it dyed black, (the colour which most tries the silk,) and this it takes very well. He concludes by suggesting some improvements in the reeling, which a little more practice may soon effect.

The present importation is a mere sample, being a very small package, and was produced (as the correspondent of the *Times* states) in Pennsylvania, and reeled from the cocoons in Mr. Duponceau's filature at Philadelphia, under the directions of Mr. D'Homergue. It has been submitted to some of the best judges in this country, who think it a very fair beginning. The texture is finer than the Italian silk, and it produces a larger return from the same quantity of cocoons.

Some silk, from the same filature, has been boiled, dyed, and woven into a very fine stuff in America, although not thrown, as they have no throwing mills at present there.

Should the production of silk increase as rapidly in America as cotton has done, in the last thirty years, it will become an article of great consequence in our trade with that country; the Americans sending the raw material, and taking back the manufactured article in return, as is now the case with cotton.

The white mulberry tree, and silk worm, are said to succeed in almost all the states of the union; and the latter can be brought forward at the time the former is in life.

This subject has been taken up by a committee of the Congress, and strongly recommended by them to the

attention of the American government and country. And any object that will promote the intercourse, or strengthen the ties, between the two countries, is well deserving the attention of both.

Yours, &c.

London, 26th March, 1831.

*From the Harrisburg Reporter.*

**AMERICAN SILK.**—A very beautiful flag, manufactured by Mr. D'HOMERGUE, of Philadelphia, from silk the growth and produce of this state, was [during the last session] presented to the legislature, by PETER S. DUPONCEAU, Esq., accompanied by a letter from that gentleman. The letter was referred to a committee in the House of Representatives, consisting of Messrs. Ingersoll, Read of Susquehanna, and Craft; and Mr. Ingersoll, from that committee, made a very appropriate report, accompanied by a resolution, that the flag be displayed in the House, under the direction of the Speaker. Agreeably to the resolution, the flag has been very tastefully displayed over the Pennsylvania Arms in the rear of, and above, the Speaker's chair, where it at once commands the attention and admiration of every one entering the hall of the house. We think it a fine specimen of the useful perseverance of its worthy donor, and a strong earnest of what may be expected from the culture and manufacture of silk in Pennsylvania hereafter. The following is the letter and report of the committee. The report was unanimously adopted.

PHILADELPHIA, Jan. 3, 1831.

Sir—I take the liberty of presenting through you to the honourable house over which you preside, and of offering to their acceptance, a Flag, bearing the colours of the United States, and made entirely of American silk, by Mr. John D'Homerque, of and in the city of Philadelphia.

The texture of this flag is light and delicate; more so, perhaps, than it should have been, if my object were not, by this specimen, to show that stuffs of this description may be manufactured in this country, from our own native material. It is for similar stuffs, that we pay annually to Europe a tribute of several millions of dollars, considerably exceeding the amount that we receive for all our broad stuffs. Hitherto, the silk that this country produces, has been exclusively employed in making sewing silk, and a few stockings, gloves, and other like articles of domestic manufacture, in which the best material has been used, while elsewhere those articles are made of imperfect cocoons, and of waste and refuse silk. For more than twenty years, the inhabitants of a part of the state of Connecticut, have pursued this unprofitable system; and it is remarkable, that the silk districts, which ought to be the richest in that state, are in fact the poorest. There is no market there for their cocoons or silk balls, those who raise them are obliged to manufacture them themselves, or they will perish on their hands. Nor can they find any cash price for the articles they make, so that they must use them in their families, or dispose of them by way of barter. This system is fast extending itself, through the other states, and the only use that has hitherto been made of the cocoons in Pennsylvania, has been converting them into sewing silk, or coarse articles of domestic fabric.

It is not that manufacturers of fine silk are wanting in the United States, we have them in this city, of every description, seeking employment, which they cannot obtain for want of new silk properly prepared. The art of making this preparation, which is called *reeled*, is not known among us, though it is generally, but most erroneously, supposed to be very simple, while, on the contrary, it requires much instruction and long practice and experience; and those who know, and would instruct us in it, cannot without the greatest difficulty be procured from other countries. Without the knowledge of this art, it is impossible to employ our silk in a profitable manner, for unless the raw material is properly

reeled, it cannot be exported abroad, nor manufactured at home into those fine stuffs for which we pay so large an annual amount to foreign countries.

Having had the good fortune in finding in Mr. D'Homerque, a person well skilled in that mode of preparing our native silk, either for exportation or home manufacture, I established last summer, under his direction, an experimental filature of ten reels, in which twenty women were employed, in consequence of which, a market for cocoons was immediately opened at Philadelphia, whither they were brought for sale from almost every part of the United States. The farmers brought them from different parts of this state, and received cash for them, which they had never done before. They were brought, it is true, in small quantities, but there is no doubt that the culture of silk will be thereby promoted, and that in the course of a few years, if this important object shall receive the national encouragement, which a bill now before Congress gives reason to expect, silk worms will be raised in great plenty all over Pennsylvania. The climate being peculiarly well adapted to the cultivation of the mulberry tree, which will thrive even in our poorest soil.

The flag, which I have the honour to send to you, is offered as a visible proof of the facts I have just stated, no silk stuff of the same kind has ever been made or ever attempted in this country, and none can be made without a perfect knowledge of the art of preparing the raw material. I beg you will be so good as to present this flag most respectfully, in my name to your honourable house, as a sample of a new and interesting branch of American manufacture; as a token of my high respect; and as a proof of my sincere devotion to the interests of the state of Pennsylvania, which has been from early youth my cherished home, and where, I hope, with my latest breath, to offer my last fervent prayer for her happiness and prosperity.

I have the honour to be,

With the highest respect,

Sir, your most ob't humble serv't,

PETER S. DUPONCEAU.

To the Hon. FREDERICK SMITH, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

*Report of the Committee.*

That this beautiful specimen of American agriculture and manufactures, carried through all its process in Pennsylvania, is a practical result of the utmost importance to the wealth and prosperity of the state. Its agriculture has long suffered from restriction to certain staples, of which the production has increased, while the foreign demand is greatly diminished. By the valuable experiments of Mr. Duponceau and Mr. D'Homerque it is established that the climate, the soil, and the waters of Pennsylvania, are eminently congenial with the culture of silk, which, it is believed, may be cultivated with advantage throughout the United States. If so, this inestimable product must become a great staple of the country. Adverting to the fact that, but forty-six years ago, an American vessel, with cotton on board, was seized at Liverpool, under the impression that cotton was not the growth of America; and to the fact, that last year more than six hundred and forty thousand bags of American cotton were imported at that port, there is nothing unreasonable in the anticipation, that a similar development may attend American silk.

In every country producing silk, it has become the fruitful means of industry and wealth.

Every manufacturing country, incapable of producing, has spared no efforts to naturalize it. Added to the other products of this state, and Union, its benefits must be incalculable: It leaves all other employments unimpaired, and affords domestic occupation to females and children, who may rear the cocoons, and reel them into raw silk. Many millions, as Mr. Duponceau states, are the tribute money paid for it by the United States to foreign countries.



From the increase of the coasting trade of Philadelphia, which has nearly trebled itself within the last eight years, encouraging and unquestionable proof is afforded, that the agriculture, manufactures, and mineral wealth of the state, are in active and increasing demand. If, as is understood to be the case, vessels loaded with the coal of Pennsylvania, are destined to sail for France in the ensuing season, the foreign trade of the state may derive great augmentation from that source. Even the quantity of flour exported from Philadelphia to Europe has much increased of late; and wool bears better prices throughout the country.

With these flattering prospects, no aid, within the power of legislation, should be withheld from the endeavour to domesticate silk, and unite so important a staple to the others. In France, Italy, Flanders, Spain, and England, no wealth or honours were spared by government, when the object was to cherish and reward the culture of this superior article, which, in all ages and nations, from the earliest era to the present, has been in universal request and of the highest value.

The flag presented by Mr. Duponceau is a proof of the natural and artificial resources we possess; and that in the practical skill of Mr. D'Homergue, the country enjoys the fortunate means of obtaining all the instruction and demonstration necessary, for the complete attainment and indefinite extension of the difficult art of reeling silk, without which raw silk for manufacturing, or of the merchantable quality, saleable in foreign markets, cannot be produced.

The patriotic, disinterested, and most praiseworthy exertions of Mr. Duponceau to establish this art among us, entitle him to the gratitude of the state. They constitute another of the public services of a citizen whose career, beginning in the army of the revolution, and continued in the department of foreign affairs, afterwards distinguished by eminent accomplishments in jurisprudence and other sciences, has exalted him to become the successor of Jefferson, as president of that philosophical society which was founded by Franklin. To the duties and distinctions of such a career, Mr. Duponceau, in the decline of life, superadds a noble effort to confer upon his country the inestimable advantages of the introduction of silk, and to join that to the many honours of which his venerable years are full.

The committee trust, that it will not be deemed inappropriate to display this flag in the Hall of the Representatives of Pennsylvania, near the Speaker's chair—the same that was once filled by the president of that immortal congress, which, in the city of Philadelphia, declared the independence of these United States.

They, therefore, respectfully submit the following resolutions:

*Resolved*, That the Representatives of the Commonwealth of Pennsylvania accept, with great sensibility and satisfaction, the silk flag of the United States, presented to them by Peter S. Duponceau, as an auspicious promise of national wealth and prosperity, and a proof of the patriotism of the distinguished donor.

*Resolved*, That the flag be displayed in a conspicuous part of this House, under the direction of the Speaker; and that the Clerk be directed to communicate to Mr. Duponceau copies of these resolutions and report.

## AN ESSAY ON HYDROPHOBIA.

*An Essay on the Affections supposed to result from the Bites of Animals, and known by the appellation of Hydrophobia. By J. C. ROUSSEAU, M. D., member of several learned societies.*

[Read before the Philadelphia Medical Society, March 14, 1829.]

"Je n'ai peur de rien plus que de la peur."—Rabelais.

It is unquestionably a most gratifying circumstance, at which every philanthropic mind cannot but rejoice, to perceive, in the present era of science, the sway of cr-

rafcous opinions and prejudices fast yielding to the influence of strict, fair, and impartial investigation. But the romantic and wonderful, particularly when swelled with fabulous incidents, terrific relations, and descriptions of awful scenes, impart such a stimulus to the human mind, that truth, in its simplicity undecoloured natural colours, can scarcely promise to create an adequate excitement, for it is a well known truth, that it is much easier to awe than to persuade; and experience teaches us, that fear holds the sceptre over all nature.

Instead of endeavouring to diminish the catalogue of human miseries, which has been and is daily swelling to an alarming degree, every one elbows forward through the crowd of innumerable writers, to throw in his mite, not only to enlarge the collection, but to render it more appalling.

These reflections, I feel convinced, cannot be better applied than to the subject of the present essay, and I propose to give to it that serious attention which its importance merits. But if I am led to deviate from that gravity, which from the predisposition of every one's mind in matters so unquestionably revered, I presume is anticipated, I hope my disquisition may be taken in its true sense and light, and from the whole, a judgment formed upon the whole.

Than hydrophobia, no other disease, if, perhaps, we except the venereal, has favoured the origin of more fabulous reports, and created more terror in the mind, not only of the vulgar, but of the best informed classes of society, from which I cannot even exclude the faculty; and, yet, without any solid foundation; for I may confidently assert, that there is not one in a thousand that has ever taken the trouble to think seriously upon this subject, and, not unlikely, even a smaller proportion that ever had the opportunity of witnessing the effects resulting from the bites of animals.

The whole of this matter rests, either upon vague reports, preconceived opinions, mistaken notions, or a blind deference to authority.

But after an impartial and unprejudiced inquiry, and a judicious examination of the accounts we have on record, it will be found that they are not only inconsistent, incorrect, and perplexing, but, not unfrequently, shamefully exaggerated; and, in many instances, so visionary, that no reliance can be placed on them. We are, indeed, induced to believe that few of the writers have witnessed with a placid eye the scenes they describe. Moreover, their sanative methods are so versatile and incoherent, their remedies so terrific at times, so insignificant at others, that we might well question if many of them had seen a single case of canine madness.

Nevertheless an inconceivable bigotry of opinion, equal to party spirit obstinacy, pervades all classes, and presents insurmountable obstacles to the admission of the most evident facts, if they appear to militate against long established prejudices, and sanctioned medical creeds.

All impartial inquiry is not only hazardous but scarcely attainable. Regardless of communicating useful information, or affording the balm of consolation, every report is calculated to perpetuate the prolific seed of terror; and it is a lamentable truth, that we are, at this day, as much in the dark as our predecessors respecting the cause and true nature of hydrophobia. Why this name should have been exclusively selected to qualify a specific disease, supposed to result from the bite of a mad dog, is not very obvious; the dread of liquids being a symptom occurring in many diseases, where a morbid excitement of the nervous system is predominant, and attended with constriction of the fauces.

But it is not an easy matter to divest the human mind of prejudices once inculcated and rooted in by time, and afforded an inexhaustible source of romancing. In this, however, we can see nothing more surprising than in the popular frenzy to run, not unfrequently, at the peril of life and limb, to see a fellow mortal launched into eternity.



Having, however, seen cases, not resulting from a bite, in which hydrophobia was one of the predominant symptoms; which observation is sufficiently confirmed by the testimony of others; it may not appear presumptuous in me, unbiassed by popular prejudices, which, although sanctioned by men of respectable authority, are not of a nature calculated to carry conviction—to unfurl the standard of scepticism that others have hoisted before me.

Truth cannot be elicited by conjectures; facts are not to be established, still less supported, by vague reports; nor reason and judgment satisfied with good or bad names, contradictory declarations, and incredible stories. Admitting without discrimination, and propagating without examination, have been the sources of all the errors that have brought thousands to a premature end.

Disease is invariably a derangement in the constitution; but various agents being the cause of apparently the same disturbance, and the same cause being productive of different aberrations, the utmost circumspection ought to be used in pronouncing upon the origin of diseases. Sex, temperament, constitution, habits, situation, occupation, seasons, former diseases, perturbation of mind, &c. &c. must, necessarily, vary the symptoms of the same disease, and become the cause of the diversity or identity of the morbid appearances, that have not unfrequently drawn the faculty into error.

That bites, more commonly of dogs, because of their greater number, their particular habits and their dwelling among men, have in numerous instances proved fatal, cannot be denied, but that those accidents have resulted from a disease, inoculated by a specific virus generated in the mouth of the animal, under a particular morbid excitement, is merely a supposition, rather disproved than supported by facts, as we hope to be able to prove as we advance in our inquiry.

Dogs being, in general, possessed of an uncommonly irascible temper, and naturally prone to bite, and some species being extremely ferocious, it is not at all surprising that a general dread of them should be imbibed in infancy, and retained in mature years; and this circumstance must incalculably aggravate the consequences of a bite, and may be productive of those very accidents that have been attributed to a specific virus.

The fact is daily confirmed by experience, that lacerated wounds are oftener than any other attended with danger; and if we pay particular attention to those resulting from bites, we shall find that, of all the injuries of that kind, they are the worst, from the compound action, producing not only laceration, but contusion. Moreover, if with these peculiarities we take into account the state of perturbation created in weak and prejudiced minds, by unexpected attacks of infuriated dogs, we cannot but hesitate to sanction the idea of a rabid poison secreted in the mouth of the animal, under a particular state of disease. Besides, it cannot be questioned, that the saliva and teeth of a dog in perfect health may, from the putrid and filthy substances on which the animal not unfrequently feeds, acquire and harbour a decided virulence, and become the source of the accidents, that have for so long a time disturbed the peace of mankind.

All the well substantiated facts, indeed all the anomalies characterising the maladies supervening on the bites of animals supposed to be in a rabid condition, concur to prove, that the same symptoms have resulted from the bites of animals labouring under no kind of disease, as well as from various injuries, not admitting the possibility of any introduction of virus, being the consequence of the mere mechanical agency of inanimate bodies.

I am fully convinced, and many sound observers will I think join me in the belief, that the terror propagated, from generation to generation, by the popular tales of hydrophobia, has been the cause of more mischief than the pretended rabid poison itself, and that more than a

few have become mad from the simple fear of turning mad.

I perfectly well recollect the son of a gentleman with whom I was intimate, who, to the age of twelve and upwards, could not see the approach of a dog without being thrown into a fit; and it was not without much trouble, that, by keeping a dog in the house, his antipathy was at last conquered.

“Will it bite?” is a common question with children, when a little dog or any other pet animal is given to them; not that they have been bitten, but because they have been scared with it by their nurses, parents, playmates, &c. Of all the scare-crows resorted to, to intimidate children, and force them to obedience, the dog is the most common, and the stories of canine madness always comes very *a propos*.

Yet dogs are not sufficient to frighten all children. Some are very mischievous, and like to plague cats. “The cat will scratch you,” is then the cry. Still this will not do—children are not afraid of scratches. With a little more trouble, and out of necessity, the disease of madness has been stamped upon cats; and all the old, and many new, wonderful stories have been heaped together to swell the collection. But cats will not generally bite, then “madness can be, and must be, and has been communicated by scratches.” This is hard to believe, and, therefore, must be proven. “Cats lick their paws,” as every person knows; and as it is the saliva of dogs that transmits the rabid poison, it must proceed from the like source in cats. Accordingly, “by licking their paws the saliva is deposited on them;” *ergo*, “scratches can inoculate madness!”

The above reasoning may answer tolerably well for children; but we cannot help blushing to find such stuff recorded by men in their proper senses. Yet, as such reasoning may be specious for some, who, like the *bonus Homerus*, *aliquando dormitant*, we hope to be excused if we take some notice of it.

Animals in general, and particularly cats, that are remarkable for an uncommon degree of cleanliness, are not very attentive to this characteristic quality, while suffering from disease. On the contrary, their filthiness is the first apparent symptom of their diseased state, and this arises from the circumstance, that they do not lick their paws. For it is not to be supposed, that these animals adopt this employment as a mere pastime; on the contrary, it is for the sole purpose of removing the dirt that they have, *with their paws*, brushed from their heads.

Since I have been led to speak of the ridicule that ought to be cast on the popular tales, related at random, concerning canine madness, (and I am fully persuaded, that too much cannot be done to doom them to a state of oblivion,) I beg to be indulged in prosecuting this task a little further, not for the sole pleasure of exposing error, but with the hope of fostering the spirit of investigation, which I imbibed at an early period of my medical career.

PALMARIUS, an ancient writer, seriously informs us, that the straw, on which some mad swine lay, communicated the same disease; and, *risum teneatis*, that a man who had become mad from the bite of a rabid dog, when on the point of death, kissed his children, who, in a few days, were all seized with rabies, and died of it!!

So much for plain truth!—then comes the romantic; such as men tearing and eating their own flesh, biting like dogs; or scratching like cats, when the disease proceeded from the last. Others, quite composed, warn their friends not to come near, for fear they should bite them, and view, composedly, their appalling situation!

We shall now cite from writers how long a time will be requisite to establish this incongruity of symptoms.

From LOMSTUS we learn, that seven years may elapse before the invasion of the disease.

MORGAGNI relates a case, in which twenty years elapsed between the bite and the appearance of the disease.

BOERHAAVE mentions a case of the same description. I have read of a case spun out to forty years.

Other writers, however, fix the invasion of the disease at a very short period after the bite.

Dr. GRAY records a case in the West Indies, in which death happened on the same day as the bite.

We might go further, but, for the sake of common sense, must refrain.

After all the uproar created by this terrific malady, it might be supposed that no doubt could be entertained as to its existence; but, alas, of all the symptoms that have been recorded, not a single one can be called pathognomonic. Neither does any identity of symptoms characterize the disease in men and dogs. We have already repeated the idle stories transmitted to us by ancient writers upon canine madness, as communicated to the human constitution; for this disease has never been supposed to be spontaneously generated in man.

We shall now narrate the general symptoms observed in dogs: They look dull and stupid.

They pant, keep their mouths open, hang out their tongue, and discharge abundance of saliva. They refuse food. They are thirsty, and do not drink.

They look dirty. Their ears and tails hang down. Some say they move slowly, others that they run faster than ordinary, and in an irregular manner.

It is nevertheless an accredited popular opinion, in some places, that they go straight forward; and if you move out of their way they will not hurt you; yet various writers assert that they snap at and bite every thing they meet with.

We find nothing but contradictions at every step of our inquiry, as often as the authors have not copied from one another.

The tail between the legs, seems, however, to be the most prominent symptom, and the most noticed in general. It is that, also, which spreads terror and dismay throughout all classes of people; although it be quite insignificant, and nothing more than an indication of fear and timidity, observable in all dogs passing through a strange neighborhood.

It is, indeed, surprising, that we should have, to this day, been satisfied with such contemptible data; and still more astonishing, that no inquiry has been proposed or encouraged, by premiums or otherwise, to ascertain something respecting such a direful malady, the existence of which must rapidly come to be considered as extremely doubtful, if not entirely imaginary.

What is rabies in animals? What is it in men?

Is it the result of a specific virus of canine origin? Can it be productive of a particular disease in other animals and in men, by the simple application of the saliva to some living part?

Does the poison exclusively reside in the saliva? Is inoculation by means of a wounded part absolutely indispensable?

What is the nature of the wound produced by the bite? Does it secrete a poison of the same nature as that secreted by the salivary glands, during the disease?

Is it a compound effect of the laceration of the teeth and the particular quality of the saliva?

May not the saliva of dogs, under some peculiar circumstances, become poisonous without the animal being in a state of disease?

Why are the effects of the bite of a mad dog more promptly shown on animals than on men, as the reports assert them to be?

Why is not the dread of water a characteristic symptom of rabies in dogs as well as in men?

Until these queries have been satisfactorily answered, we cannot believe that hydrophobia is the result of a

specific virus. And if we were to support this opinion, how could we reconcile our belief with a number of well attested facts, proving that this symptom scarcely happens once in thirty cases, whereas the bite has been inflicted by the same dog.

Hydrophobia, I am persuaded, is an extremely rare disease; and when its occurrence has not been preceded by the bite of a dog, it is met with very little apprehension.

I have experienced it myself, after my recovery from a long illness, that had thrown me into such a state of morbid sensibility, that, not only water, but any thing else that could produce a tremulous motion on my eyes, or a shrill sudden sound on my ears, excited the most horrible sensations.

I have witnessed it in many cases of cynanche, and in diseases of infants of various kinds.

The disease was strongly marked in a case of destruction of the epiglottis that fell under my care some years ago; until I contrived to introduce liquids into the stomach, by means of a piece of intestine of a chicken, swallowed at one end, while the other was kept fastened to one of the teeth of the patient, who was delighted to receive, as often as he was desirous, by means of the canula of an injection pipe, the liquids that were forced through it.

It is not, I am now convinced a terror resulting from the sight of water or of other liquids that harrasses the sufferers. It is, as many have confessed, the dread of having the liquids forced upon them, when they feel certain pains from former trials of their inability to swallow, and call to mind the sufferings they have undergone their exertions to accomplish an act that they were by rather desirous than reluctant to perform.

This inability to swallow liquids generally proceeds from a constriction of the fauces; or from a too exalted state of irritability in the organs of deglutition; or from a rigidity of the epiglottis preventing the shutting of the trachea, in consequence of which the passage of liquids into that tube, on their way to the œsophagus occurs.

I have ascertained these facts by introducing my forefinger into the fauces of the patient; and Dr. WILLIAM SUAW, an experienced and respectable physician of this city, has informed me of a case that fell under his care, in which the rigidity of the epiglottis was so great, that he could not press it down with his finger. The patients, who died with all the terror that the presence of liquids could excite in the mind in hydrophobia, repeatedly assured him, that his fear was excited solely by the recollection of the agonizing fits of coughing, he had been thrown into by his first attempt to swallow some water; and that he would rather give up his life, than run the risk of being again thrown into the same predicament.

[To be continued.]

## RAIL ROAD MEETING.

At a large and respectable meeting of the citizens of Newtown and its vicinity, held pursuant to public notice, at the house of Joseph Archambault on Saturday the 4th day of June—Dr. Phineas Jenks, was called to the chair, and Peter Gwinner, appointed Secretary.

The object of the meeting having been stated by the Chairman, it was on motion, *Resolved*, That Peter Gwinner, Samuel Snyder and Alex. Vanhorn, draft resolutions expressive of the sense of this meeting—who after having retired a short time, reported the following preamble and resolutions, which were unanimously adopted:—

Whereas, recent experience in England, has conclusively shown the superior advantage of rail-roads over all other kinds of improvement, in affording a more pleasant and expeditious mode of travelling, and offering greater facilities for the rapid transportation of the produce of the soil to market. Every agricultural and manufacturing district have a deep interest in the con-

\* Pliny recommends the saliva of a mad dog for the cure and prevention of hydrophobia.

\* Dr. Vaughan tried to inoculate it without success.

† A number of writers on this disease, are of the opinion that it is not.

struction of rail roads. They may be constructed where it is not possible to command a supply of water for canals, and when constructed, the travelling upon them is not liable to be interrupted by the frost of winter, nor freshets in the summer. Rail-roads, branching in different directions through the country, will add much to the convenience and prosperity of the citizens. It is the opinion of this meeting, that there is no section of the country, through which a rail-road could be located, (more advantageously to the stockholders; or beneficially to the citizens,) than from Philadelphia through Newtown crossing the Delaware at Taylorsville, thence to New York. This is the most direct and shortest route between the two cities. This road would pass through a delightful and fertile country affording at a moderate price all the materials for its construction—by this route there will be no interruption by water, and no transfer of passengers or mer chandize from cars to boats, until they arrive at the Hudson, opposite New York. Therefore,

*Resolved*, That the citizens of Bucks County and New Jersey, friendly to a rail-road on the route, meet at Taylorsville, on Saturday the 25th of June inst. for the purpose of taking into consideration the propriety of a survey and scientific examination of the route, and such other measures as may be deemed expedient to promote the object in contemplation,

*Resolved*, That the proceedings of this meeting be signed by the Chairman and Secretary, and published in the papers of the county—The U. S. Gazetteer, and the Hunterdon Gazette, published in Flemington, N. J. and such other papers as are friendly to the said object.

PHINEAS JENKS, *Chairman*.

PETER GWINNER, *Secretary*.  
Newtown, June 4th, 1831.

### RAIL ROAD MEETING.

Pursant to public notice, a respectable number of the citizens of the counties of Montgomery and Berks, met at the house of Samuel Thomas, at Swamp Churches, Montgomery county, on the 11th day of June, ult. when George Richards, Esq. was appointed Chairman, and Major David Schall and John Jackson, Esqrs. Secretaries; after the object of the meeting had been stated, on motion the following preambles and resolutions were read and unanimously agreed to:

Whereas, There are now authorized the constructing of two Rail-roads, the one beginning at Philadelphia and terminating at Norristown, in the county of Montgomery, and the other of them at Beaver Meadow Coal Region, in Northampton County, and terminating at some point on the Lehigh river, wherever thought most convenient. and whereas, other companies and authorities have existence, to continue the route by Rail roads at the upper end of the Beaver Meadow Rail-road to the north branch of the Susquehanna; and whereas, the said Rail road Companies *leave wanting a link* to connect the city of Philadelphia with the coal region and the north branch trade of the Susquehanna; and whereas, the most direct and best ground for laying the remaining link, to have an uninterrupted Rail road to the city of Philadelphia is beginning at Norristown, via Trapp, Swamp Churches, west branch of the Perkiomen, thence to some point or place on the Beaver Meadow Rail-road Company at Allentown; this will form the [first entire, and afford the shortest distance, best ground, and straightest communication of Rail road from the coal region, direct to the city of Philadelphia, passing through a level, well cultivated country, and several extensive limestone and iron ore ridges, furnaces, forges, mills, &c and possessing all the requisite qualifications for successful Rail road operations. Therefore.

*Resolved*, That this meeting take such measures to ensure the remaining link to be finished, by collecting the best information as early as possible, in examining the above route in order to make an early application to

the State Legislature for incorporating a company for the construction of said remaining link of Rail road communication from the Susquehanna and coal region to the city of Philadelphia.

*Resolved*, That in the opinion of this meeting, a distance of about 40 miles Rail road will accomplish the object, via Trapp, Swamp Churches, West Branch of Perkiomen to the Little Lehigh, and thence to Allentown.

*Resolved*, That George Richards, Adam Mensh, Daniel V. R. Hunter, John Wagonhourst, David Schall, John Jackson, John Stauffer, Reuben Trexler, Thomas M. Jolly, Thomas J. Gross, Joseph Roger, Henry Gilbert, George Miller, George Christman and Peter Newhard, be a committee to take such measures as they may deem necessary to further the views of this meeting, and hold communication with other companies and individuals, whose ideas and views may become necessary for mutual and reciprocal advantages, and to call a meetings at any time whenever said committee see proper, and that said committee be authorized to collect subscriptions for defraying the expenses for locating said route, if by them thought necessary.

*Resolved*, That the proceedings of this meeting be signed by the chairman and secretaries, and published in the papers of the counties of Montgomery, Berks, Northampton and Lehigh, and in the city of Philadelphia, and in such other papers as are friendly to the object contemplated by this meeting.

GEORGE RICHARDS, *Chairman*.

DAVID SCHALL, }  
JOHN JACKSON, } Secretaries.

### HORTICULTURAL SOCIETY.

The main object of the Editor's visit to Philadelphia recently, was to obtain information relative to the nature and practical operation of the Horticultural Society of Pennsylvania, with a view to recommending the establishment of one in Maryland. If he believed in the expediency of one before, he has now become convinced of its necessity. The beneficial tendency of such associations must have been apparent to every one who visited the exhibition in Philadelphia. Their benefits are not confined to any particular class of citizens; but the whole community are directly interested in them. The dissemination of horticultural knowledge; the improvement of vegetables, fruits, and flowers and the introduction of new and valuable varieties, are the objects to be attained by horticultural societies. And are these objects matter of indifference to any citizen? Surely not. Every new vegetable or fruit, and every improvement of either, ministers directly to the comfort and well being of mankind; for although we may have had enough before, (which is not the case,) it at least increases our variety and diminishes our liability to deprivation. But on this point argument is deemed unnecessary; the utility of such improvements, we believe has never been doubted; and the only question at present is, will the formation of a Horticultural Society effect these objects? For ourselves we have no doubt of it. And in this we are not left to conjecture, nor to the deductions of theory for our conclusions—we have the results of European societies, and several in the United States before us all. There is scarcely a table, or an orchard, or a garden in the Union, but daily bears testimony to the good effects of horticultural societies, either American or foreign. We taste them in our improved vegetables and fruits; we see them in our beautiful flowers and shrubbery; they give a zest to our viands, decorate our walks, and emit sweet perfume in our evening arbors.

Another object to be attained by a horticultural society, is the cultivation and diffusion of a taste for flowers; nor is this a matter of trifling consideration. Were we required to tame the ferocious spirit of a Gibbs, we would confine the monster amid the luxuriant fruits and beautiful flowers, and compel him to inhale the odours



of a fine garden—nothing distrustful of our ability to accomplish the task. It may have happened, but we have never yet heard of any of the numerous personal conflicts that have given such a character of ferocity to human nature, having originated in a garden, and when we consider the great number of public gardens in Europe and America, and the multitudes that resort to them, we may be allowed to attribute this absence of the evil spirit to the peculiar influence of the place. It is by no means uncommon for us to hear of duels and other personal conflicts originating in almost all other places of resort; but in a garden never. The cultivation then of a love of flowers and of gardening generally, seems to be one of the best if not the most efficient means of mollifying the human mind, and it should be encouraged by every philanthropist and every patriot. The best means by which we can do so, we repeat, is the establishment of horticultural societies for the encouragement of improvements in gardening, and the diffusion of a taste for flowers and shrubbery by public exhibitions. Hundreds of persons became admirers of flowers at the exhibition in Philadelphia, who, we are persuaded, never before scarcely gave them a thought. They had no idea that there were such things in the world. This was plainly apparent from the numerous questions asked as to the names of the most common plants and what they would cost; and we have no doubt that that exhibition caused the sale of hundreds of dollars worth of plants that would not have been sold under other circumstances. But even if there were no such good effects to follow, we would urge the propriety of such exhibitions in every city and town in the Union as a most delightful and wholesome recreation to the inhabitants, from which the possibility of immoral tendency is excluded.—*Balt. American Farmer*.

### THE SWALLOW.

A few weeks since, Charles Miner, Esq. (who is now on a visit to this place) favoured us with a communication on a species of Swallow, that has recently migrated to Wyoming Valley.\* We have received from Doctor Mease, of Philadelphia, a very interesting letter upon this subject, which we take the liberty to publish. The bird of which it speaks has excited the curiosity of many of our citizens, who, no doubt, will be highly gratified by a perusal of the letter.—*Wyoming Democrat*.

PHILADELPHIA, 14th June, 1831.

Gentlemen—I am so much gratified by the notice taken by "A Lover of Nature," in a late number of your paper, of the appearance of the "Fulvous, or Cliff Swallow," in your vicinity, that I cheerfully comply with the general request made by your correspondent, by sending some facts respecting these interesting strangers.

These birds were first described, but imperfectly, by a French naturalist, M. Vieillot, in his work on the birds of North America, published in Paris, in 1807. He first saw them in a small flock in St. Domingo, and again in the possession of another naturalist, who had brought specimens from Porto Rico. The best description of them is in the account of Col. Long's expedition to the Rocky Mountains. Charles Bonaparte describes and figures both birds and nests, in the first volume of his *American Ornithology*. De Witt Clinton, and Mr. Audubon, also notice them in the first volume of the *Annals of the Lyceum of New York*. Mr. Clinton's paper was read before that association in the year 1824, and he states that they first made their appearance [in New York] at Winchell's tavern, between White Hall and Lake Champlain, in the year 1817. The nests increased from one, in that year, to seventy in the year 1822. Since that time they have continued to increase, and the birds have extended themselves to Fort Miller, Delaware county, and Balston, in New York. He mentions that they are also found in Newport, in Kentucky, and

Red Bank, Ohio; and it was yesterday noted in one of our city papers (Poulson's), that they have fixed themselves in Hampshire county, Massachusetts, "within a few years." I may mention, by the way, how useful it is to publish accounts connected with natural history in the country papers, and how much the science is thus promoted. The Hampshire editor says, he was induced to notice the domestication, or appearance of the Cliff Swallow, in consequence of seeing the account you published "of a lover of nature," inserted in Mr. Poulson's paper. As the Cliff Swallow, in common with its congeners, lives on insects, I presume I need not advert to the peculiar claims it has to the protection of the farmer, and hope they will be permitted "to increase and multiply."

I am, respectfully,

JAMES MEASE.

### LEWISTOWN.

Lewistown at present contains a population of seven-teen hundred and a fifty-two inhabitants, being an increase since 1820, of one thousand. It is situated West of Philadelphia 153 miles, of Harrisburg 55; and East of Pittsburg 154 miles; and its natural advantages are supposed to be superior to any other place on the canal, between Philadelphia and Pittsburg. The town stands on a beautiful and elevated spot, on the northern side of the Juniata and Kishacoquillas creek, immediately at the confluence of the latter, the mouth of which, forms one of the finest and safest harbors for boats, that can be conceived of—and on which, there are a number of spacious store houses erected. The Kishacoquillas has its source within a few miles of Lewistown, and rises from springs in Kishacoquillas valley; and being free of ice in the severest winters, it affords a most advantageous water power for manufacturing purposes. At present there are a number of excellent merchant mills on this stream which do a large business, and there are numerous sites within five miles of Lewistown for water works of every description. Lewistown derives many advantages from its location on the Juniata river and Pennsylvania canal, which render it a place of very considerable deposit for a large northern district of country. It unites all the trade of the large and fertile valleys of Kishacoquillas and Penns valley—Ferguson's and Dry valley's, and a great portion of Nittany and Stone valley's. Also a considerable trade is carried on between Bellefonte—the important iron manufactories of Centre county and this place. Merchandise from Philadelphia has been, and will be consigned to this place by the canal, which will be transported by wagons to Erie and all the intermediate places in the northern part of the state, at a great saving in the expense of transportation, compared with what it was by wagons the whole distance.

Although a mountainous country around Lewistown, which affords the finest and most lively scenery in the world; our valleys are most fertile and productive, particularly in the important staple of wheat. Some idea of the present trade of Lewistown, may be arrived at from the fact, that upwards of fifty arks have descended the river from this place this spring, containing flour, wheat, whiskey, iron, blooms, pig metal, &c. each ark averaging about 400 barrels of flour or forty tons, and it is estimated, that a much larger amount has gone down the river, and through the canal by boats. Our iron manufactories consist of a forge and furnace owned by the Messrs. Norris' within two and a half miles of Lewistown, which are in active operation; a furnace owned by Messrs. Reid and Thompson, nine miles from Lewistown, in full blast; and David W. Hullings, Esq. having purchased Elizabeth Furnace, six miles from Lewistown, is resuscitating that establishment and giving it a radical repair; and we learn that it will soon be in blast. We have a large basin on the canal, on which are being built new and spacious warehouses. The business done on the canal the present season, and before the

canal can be expected to be permanent in its banks, is a sure presage of the large amount of business which will be done upon it the next year. Owing to the great ice flood in the Juniata this spring, which did considerable injury to the canal in the narrows, it was not in operation till about the 11th of April; yet there were taken at the collectors office at this place \$348 94 in the month of April; \$900 20 in the month of May, and the month of June promises handsome receipts.

We might go on and enumerate the numerous advantages which Lewistown combines independently of those we have mentioned—the improvements—the number of stores—the daily and tri-weekly mails which arrive and depart in different directions, &c. &c., but enough has been said for the present; we may at some future time, when we have more leisure, advert to the subject.

But many reasons might be assigned to induce strangers to make Lewistown, not only a healthy, but a pleasant and fashionable place of resort. We have stated that the scenery around is the finest in the world, a fact that will not be controverted by any who have seen it. We here breathe the pure mountain air; our streams abound with fish of the choicest kind, particularly the trout, which are to be found in spring streams, and which afford the angler so much amusement in taking them; our forests are filled with game of every description; and Milliken's spring,\* which is ascertained to possess all the medicinal qualities of the Bedford water, operates as a balm in the cure of many maladies; particularly bilious complaints, &c.—*Eagle*.

### THE CANAL.

We have been favoured with the following statement, in relation to the division of canal from Huntingdon to Hollidaysburg—the letting, &c.

"As an account of this line may prove interesting to your readers, I will give you a short and hasty account of it. The new location commences at the termination of the Huntingdon division, immediately above the town of Huntingdon, and continues parallel to the river (or nearly so) for the whole extent—which is forty miles, divided into seventy-three sections of unequal lengths, according to their respective locations. The descent from Hollidaysburg to Huntingdon is three hundred and thirty feet; this ascent or descent, as the case may be, is overcome by forty-three lift-locks, and eight guard locks. The lift locks, in their construction, are similar to the wood and stone locks of the lower division. When practicable, the locks are made to answer the double purpose of lift and guard locks. Those who are considered capable of forming the most correct judgment, estimate the cost of lockage on this division, at the rate contracts have been taken, at not exceeding \$100,000.

"There will be fourteen dams—the plan represents them of crib work, filled with stone. The highest of these will be twenty-seven feet; and the cost of the dams contemplated will, in amount, nearly equal that of the locks. The canal crosses the Juniata eight times—twice by aqueducts, and six times by tow path bridges. The small bridges upon this line are numerous; and, what is rarely to be met with in the annals of canaling, in the division of forty miles there will be but one culvert. There will be about fifteen miles and a half of slack water—the towing path will be ten feet above bottom, cut off from the bluff, the excavation of which is thrown over, to protect the face of the work and save the expense of a wall.

"No damage is done to either of the four iron works, near which the canal passes, and I understand there is but one solitary complaint of damage by the canal; and even in this case, in the end, it will prove an advantage instead of an injury. The location justly reflects great credit upon the engineer; and as I trudged along the

line, with many of my disappointed contractors, it was evident that the interest of the state was paramount, still he had an eye to the protection of the property of private individuals.

"It is thought, by all who can at all estimate such works, that the whole division will not exceed in cost \$600,000.

### THE LETTINGS

At Williamsburg, Huntingdon county, June 1st.

#### DAMS.

No.	To whom allotted.	No.	To whom allotted.
2	Smith, Furbush & Co.	9	Brown, Chamberlain & Co.
3	Fininger, Bell & Co.	10	Boyer and Steedman
4	George Tomb	11	William Morrison & Co.
5	Long, Brown & Law.	12	Casper Dull
6	Fininger, Bell & Co.	13	Leshe, Snodgrass & Co.
7	Kilean, Epley & Co.	14	Arnold, Jack & Co.
8	Shannon, Bucher & Porter		

#### LOCKS.

No.	To whom allotted.	No.	To whom allotted.
1	Samuel Kelly	24	Pearce and Galbraith
2	Timothy Grady	25	Arts and Dobbins
3	Do.	26	Thompson Landis
4	Brown and Chamberlain	27	Brown and Chamberlain
6	Do. do.	28	M'Ginley and Co.
7	Barney O'Friel & Sons	29	R. and H. Sutton
8	Thompson Landis	30	Skillingham Hawkenburg
9	Barney O'Friel & Sons	31	Do.
11	Smith, Patterson & Dicky	32	T. Bucher
12	Richard Workison	33	Do.
13	Do.	34	Reed and M'Crea
14	Do.	35	Do.
15	Barney O'Friel & Sons	36	Jones and Wilson
16	Long, Brown & Law	37	H. F. Tammany
17	Davis and Brown	38	Do.
18	Brale and Curtis	39	Do.
19	Furman Bucher	40	Do.
20	Culbertson and Peacock	41	Arnold, Orr and Jack
21	Hopkinson and White	42	S. and W. Kelly
22	Do. do.	43	H. F. Tammany
23	Pearce and Galbraith		

#### GUARD

No.	To whom allotted.	No.	To whom allotted.
1	Brown, Chamberlain & Law	5	Smith and Patterson
2	Smith, Furbush & Poor	6	Sutton, White & Andrews
4	Law, Bevans & Co.	7	Sutton, White, M'Crea & Reed

#### FARM BRIDGES.

Neligh, Lots & Andrews, Nos. 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 34, 35, 36, 38, 39. George Young, No. 37.

#### CANAL.

Sec.	To whom allotted.	Sec.	To whom allotted.
1	(Including the Basin at Hollidaysburg) William Bradley	22	Christian Appleton
2	Collins and Barnes	23	Do.
3	William B. Sullivan	24	Patton and Cronel
4	T. Gridley	25	G. W. Trout
5	Gridley and Roberts	26	James Sheridan
6	Do.	27	Hammond and Leighton-thaler
7	H. Charles	28	Thurlow and Robinson
8	Jones, Hemperly & Co.	29	John Atkinson
9	Book and Ferguson	30	Do.
10	Do.	31	Shott and M'Ilvaine
11	Pat. Brannon	32	James Borkey
12	M'Namara and O'Conner	33	William Kirk
13	Habawant and Best	34	M'Clelland and Snyder
14	Mullin and Brotherton	35	Pully and Draper
15	Ro Idy M'Laughlin	36	Ruswell and Donning
16	Mills, Kephart & Sullivan	37	J. and E. Ferrell
17	Killing, Donning & Tomb	38	Vanhorn and O'Conner
18	O'Neal and Henzy	39	Henry Hirst
19	Pat. Kearney	40	J. and J. Nowland
20	Harvey, Stecies & Co.	41	Folly and Draper
21	J. and C. Waldton	42	Laughlin and M'Clain
		43	Do.

\*See Register, vol. vi. page 140.

Sect. To whom allotted.  
 44 F. Burk  
 45 Entriiken and Sipes  
 46 Kelly and Quinn  
 47 Peacock and Richardson  
 48 Lenegan, Priestley and  
    O'Neil  
 49 John Thompson  
 50 Ball and Elliott  
 51 Graham, Garber & Co.  
 52 Do.  
 53 Jones, Hemperley & Hoyt  
 54 Mick M'Cormick  
 55 L. Bancraft  
 56 Neligh, Ruts & Co.  
 57 M'Farland and Whittlery  
 58 J. and E. Ferri

Sect. To whom allotted.  
 59 Daniel Burk  
 60 Wendrem and Shields  
 61 William Marlott  
 62 Wendrem and Shields  
 63 Do  
 64 Gen. John Thompson  
 65 M'Connell and Burkey  
 66 Richardson, Swoop & Co.  
 67 Do.  
 68 Kennedy, Stewart & Co.  
 69 Do.  
 70 Lappen and Smith  
 71 B. O'Friel & Sons  
 72 Arnold, Jack & Orr  
 73 W. J. and J. M'Coy.

#### *Allotments of Work on the Wyoming Canal.*

No. To whom allotted.  
 1 Richey, Ackley, Sinton &  
    Shaffer  
 2 Do.  
 3 James S. Wilson  
 4 Do.  
 5 Dilly and Deerhart  
 6 James D. Gallup  
 7 Sills and Hammond  
 8 George Behe & Co.  
 9 R. J. and I. Inman  
 10 John M'Cormick  
 11 Do.  
 12 Oliver Helme & Co.  
 13 Rudolph and Tracy  
 14 Azariah Davis  
 15 Finch and Dana  
 16 Alfred Bishop  
 17 Hodge, Hicks & Dows  
 18 Butler, Bennett & Sexton

No. To whom allotted.  
 19 C. Cortright, Sd, & Frink  
 20 Stark and Apple  
 21 James Stark  
 22 Sterling, Chahoon & Lan-  
    ning  
 23 Ebenezer Brown  
 24 J. Blanchard, Lathrop &  
    Blanchard  
 25 Scott and Goodenough  
 26 Do.  
 27  
 28 Smith, Patterson, Dickey  
    & Co.  
 29 Sterling, Chahoon, Lan-  
    ning & Co.  
 30 R. Dillman  
 31 Solomon Brown  
 32 Stephens, Mallary & Goff  
 33 Lewis W. Hubbard.

#### LOCKS.

No. 1 Sterling, Chahoon, Laning & Co.  
 2 Do. do. do.  
 3 Hodge and Darling.  
 4 Do. do.  
 5 Bancroft and M'Curdy.

#### GOVERNOR WOLF'S VISIT.

PITTSBURG, June 14.

His Excellency Governor Wolf, Gen. Spangler, Jesse Miller, Esq. senator from Cumberland and Perry counties, Henry Welsh editor of the Harrisburgh Reporter, and parts of their respective families, accompanied by Samuel Jones, Esq. Mr. Klingensmith of Armstrong county, and several other gentlemen arrived in this city in a canal packet boat from Blairsville, on Tuesday last. The Governor and suite were provided with apartments in the Pittsburg Hotel, kept by Mr. Griffith; and he was waited on by the citizens, with every demonstration of respect and attachment. The Governor availed himself of a portion of his time to see the manufactures and improvements of our city; and expressed the utmost satisfaction at the evident prosperity of the Western Emporium. The Governor's expectations with regard to Pittsburg, have been more than realized. He was happy to see the vigour and effect with which the animated efforts of the citizens of the "Western Workshop" were presented—and he contemplated with pleasure the brilliant prospect which is before us. He visited the U. S. Arsenal—the country seat of the Hon. William Wilkins, and the houses of several of our fellow citizens. His urbanity of manners and the intelligence and variety with which he entered into promiscuous conversation attached him still more closely to his old friends and procured him new ones. We can safely assert that the Governor will be the most respected where he is the best known.

On Saturday night last the Governor accepted of an invitation to pass a few hours with his fellow citizens at the house of General Stewart—where a large number of ladies and gentlemen attended. The evening went off in the most agreeable manner.

The Governor and his company left here in a Steam boat yesterday, about ten o'clock, for Economy and Beaver, accompanied by several ladies and gentlemen of this city. He proposes to return this evening, and to leave this to-morrow for Erie.

The following correspondence took place between a number of citizens friendly to the Governor, and his Excellency, in relation to a public dinner proposed to be given to him.

PITTSBURG, June 10.

To his Excellency, George Wolf, Esq.

The undersigned, your friends and fellow citizens of the city of Pittsburg, desirous to embrace the opportunity afforded by your visit to the Western Emporium of our Commonwealth of evincing their high sense of your individual merits and public services, respectfully invite you to partake of a public dinner, at the Pittsburg Hotel, on Saturday the 12th instant, at three o'clock, P. M.

We seize the occasion to testify our sincere and lively pleasure at beholding in your person the first Chief Magistrate of this extended and flourishing state, who has during his official term, surmounted the barrier of the Allegheny mountain, to satisfy himself by his own personal observation of our progress in commerce, arts and manufactures, and to understand more fully and practically the connection, extent and utility of the great system of public improvement so successfully prosecuted under your administration. We further had this visit as evidence of the increasing interest manifested in the East for the growth of the West, and tender to your Excellency our respectful acknowledgments for having furnished an example worthy the imitation of your successors. Such visits we feel assured will tend to draw more closely together the ties of social intercourse and secure the prosperity of the great interests of Pennsylvania.

With sentiments of respect your ob't serv'ts.

William Wilkins,  
 Geo. Miltenberger,  
 N. P. Fetterman,  
 John Gallagher,  
 Anthony Beelen,  
 Ross Wilkins,  
 John Arthurs,  
 Francis Bailey,  
 S. Jones,  
 Benjamin Bakewell.

James S. Craft,  
 K. T. Stewart,  
 John Fowler,  
 P. Mulvany,  
 P. Doran,  
 George Ogden,  
 Samuel Keller,  
 George Darsie,  
 James C. Cummins,  
 Leonard S. Johns.

#### REPLY.

PITTSBURG HOTEL, }  
 City of Pittsburg, June 10. }

GENTLEMEN:—Your note of this date inviting me to partake of a public dinner at the Pittsburg Hotel on Monday the 13th inst. at three o'clock, P. M. has been received, and I will avail myself of the earliest opportunity to say to you in reply, that however gratifying this flattering mark of kindness and respect, coming as it does from so respectable a portion of my friends and fellow citizens of Pittsburg, may be to my feelings as an individual, I am nevertheless constrained, as well by the considerations which have heretofore governed me on similar occasions as by the circumstances which prompted my present visit to the great and flourishing section of Pennsylvania, lying west of the Allegheny Mountains, to decline your very polite invitation.

I have long entertained an earnest desire to visit the interior of my native state, and more especially that interesting portion of it which I have just passed on my way to your flourishing and highly prosperous city, to witness, for myself, its general improvement and growth.



ing prosperity; to mark its progress in Commerce, Arts, and Manufactures, and to understand more fully and practically from personal observation the connection, extent, and probable utility of the great system of public improvement now in progress within the commonwealth. That desire has been in part realized, and the result has been of the most cheering and gratifying character. The representations which have been made, and the descriptions I have seen in reference both to the improvement of the face of the country generally, and to the public works, in my estimation, fall far short of the reality. For my visit to this section of the state I can claim no merit. It was a duty, growing out of the relation in which I stand with the public improvements of the state, the performance of which could not be omitted in justice to myself or the public; and I am free to confess that if there has been an obligation imposed any where, the kind reception I have met with—the hospitality and friendship I have received, and the many flattering civilities and attentions which have been extended to me by the citizens of Pittsburg during my stay at this place, have placed it entirely on my side.

If evidence of the increasing interest felt in the east for the growth and prosperity of the west had been wanting, it might have been found in the spirit of liberality and patriotism with which the system of Internal improvement was met and sustained by the people of the east, with a view to secure that mutual intercourse, commerce and reciprocity of interests, between the east and west, which would ensure the prosperity of both, and which the line of communication by means of canals and railways will not fail, when completed, most effectually to accomplish.

My visit to this western portion of the state had no other object I assure you, than that of acquiring information in relation to the state and its improvements, by personal observation. Should it, however, be the means of producing to the commonwealth and its citizens the good consequences you mention, it would afford me unspeakable satisfaction and delight.

Be pleased, gentlemen, to accept assurances of unfeigned friendship and respect. **GEORGE WOLF.**

Messrs. William Wilkins, James S. Craft, Geo. Miltenberger, R. R. Stewart, N. P. Fetterman, John Fowler, John Gallagher, P. Mulvany, Anthony Beelen, P. Doran, Ross Wilkins, George Oden, John Arthurs, Samuel Keller, Francis Bailey, Geo. Darsie, S. Jones James C. Cummins, Benjamin Bakewell and Leonard S. Johns.

BEAVER, June 25d, 1831.

In our last we promised to furnish our readers with the letter of invitation to his Excellency the Governor of the commonwealth, to partake of a public dinner, with a number of the citizens of Beaver county, at the house of Col. Vera, on Tuesday the 14th ult. But his excellency declined the invitation, for reasons given in his answer to the invitation.—*Beaver Republican.*

To his Excellency George Wolf, Esq. Governor of the Commonwealth of Pennsylvania.

The undersigned, citizens of the towns of Beaver, Fallstown and vicinity, in behalf of themselves and a number of their fellow-citizens, are happy in expressing their gratification in beholding for the first time a Governor of this great and powerful commonwealth arriving amongst them, for the purpose of examining the present state of improvement in the county, and character of the contemplated public works about to be commenced within our borders.

A personal inspection of the western section of the commonwealth, can only realize a just conception and true estimate of its importance and advantages.

The county in which we reside, possesses great natural advantages; among which are those of a fertile soil

—a steam boat navigation of the Ohio, opening to the immense west, and a natural water power which may be commanded for manufacturing purposes to an extent, unsurpassed by any in the state. There would seem to be nothing wanting to complete her prosperity and the full development of her resources; but the completion of the public works, now authorized amongst us.

We esteem it laudable and praise-worthy in the chief magistrate of a great state to visit its important sections—to examine the country—to inspect the improvements and mingle freely and equally with her free and happy citizens. There is a description of practical knowledge to be obtained in this mode, that can be acquired in no other.

As a testimony of our respect we would be pleased to have your Excellency partake of a dinner with us, and with a number of your friends and fellow citizens, at the house of Col. Vera, to-morrow at two o'clock, P. M.

John R. Shannon,  
Benjamin Adams,  
John S. Darragh,  
E. K. Chamberlin,  
John Pugh,  
John Vera,  
John C. Doyle,  
Wm. Taylor,  
Charles Lukins,  
Joseph Hemphill,  
J. P. Johnston,

John Dickey,  
James McElroy,  
M. F. Champlin,  
D. S. Stone,  
Andrew Logan,  
Thomas Thornily,  
John Baker,  
Archibald Robinson,  
J. Patterson, Britton,  
Daniel Large, do.  
Thomas M'Cready.

BEAVER, June 14, 1831.

Gentlemen:—Your polite invitation to partake of a public dinner, at the house of Col. Vera, this day at two o'clock, has this moment been handed me, and I hasten to thank you for this testimonial of your respect, and the acceptable manner in which it has been tendered.

I agree with you, that it is only by a personal inspection of the western section (or indeed of any section) of the commonwealth, that a just estimate of its importance and its advantages can be fully had. And it is with a view to enable myself to form such an estimate, and by a personal examination of the public works, so far as practicable, to satisfy myself of the extent, the importance and utility of the public improvements that have been finished, are in progress towards completion, or which have been authorized to be commenced and prosecuted, that I have ventured to leave the seat of government for a season; my great regret is, that I cannot devote more of my time to an object in which we all have so deep a stake, and I am sure you will approve of my determination, when I assure you, that owing to that circumstance I cannot accept your kind invitation.

I have seen enough of your country to satisfy myself of the great natural advantages it possesses; and the artificial improvements which have been authorized to be made, will not fail, when completed, to ensure the full development of her resources, and the entire consummation of the prosperity it is destined to experience.

To examine the country and inspect its improvements, is a duty which I have felt myself bound to perform.—To mingle freely and upon equal terms with my free and happy fellow citizens, affords me the purest gratification and delight. For the very flattering terms in which you have been pleased to express yourselves, with regard to this visit, I pray you to accept my sincere thanks; and permit me to assure you that my appearance among my fellow citizens of Beaver county cannot be more acceptable to them, than the opportunity of seeing and shaking them by the hand is to myself.

Accept, gentlemen, for yourselves, and those you represent, assurances of friendship and respect.

**GEORGE WOLF.**

Joseph Vera, James McElroy and others.

## CONSTITUTION OF

## THE WEST PENNSYLVANIA LYCEUM.

I. The Association shall be composed of citizens of the Commonwealth of Pennsylvania, and shall be known by the name, style, and title, of the *West Pennsylvania Lyceum*; whose object shall be to establish, in the western part of Pennsylvania, a school or schools, in which manual labour shall be connected with the study of the elements of a liberal education.

II. Every pupil shall be required to employ in agriculture, horticulture, care of stock, or mechanic arts, not less than *three*, nor more than *five hours* each day, on an average. The avails of this labour shall be applied to the payment of his board, and the other expenses of the school.

III. No youth shall be admitted or continued a member of this school, whose talents and moral character shall not appear to be good. The truths of divine revelation and practical religion, as well as the rudiments of the arts and sciences, shall be diligently and prudently inculcated.

IV. The stock of the Association shall be divided into shares of one hundred dollars each, one-fourth payable at the time of subscribing, and the other three parts in three equal instalments, to be paid before the first day of April of each succeeding year.

V. Each share shall entitle the holder to a vote in all the transactions of the Association.

VI. Stockholders may transfer their shares, with the consent of two-thirds of the Board of Trustees. Each transfer to be recorded in a book to be kept by the Secretary for that purpose.

VII. On the first Tue-day of February, of every year, the Association shall meet,—public notice of the time and place of meeting, to be given by the Trustees, two weeks previous,—for the purpose of electing, by ballot, fifteen Trustees; at least twenty-five stockholders being present. And should it happen, that an election should not be held on the above-mentioned day, then an election shall be held for the purpose aforesaid, within one month after, public notice having been given as above stated: Provided, the Trustees already in office shall continue to serve until such election shall take place. Vacancies occurring in the Board of Trustees, by death or otherwise, may be filled by the Board itself, until the annual election.

VIII. The Trustees shall take measures to procure the necessary funds, and dispose of them as they shall judge expedient, in the purchase of lands, buildings, utensils, stock, and other things which may be required. And they shall have power to make contracts in behalf of the Association, and to mortgage their property; to appoint or remove officers; to determine their compensation; and to exercise a general controul over the operations of the Institution.

IX. The Trustees shall meet within a fortnight after the annual election, and shall choose, by ballot, from among themselves, a President Secretary, and from the members of the Association, one, who is not a Trustee, to the office of Treasurer, who is to receive and account for all moneys coming into his hands belonging to the Association, and shall report to the annual meeting of the subscribers all receipts and disbursements during the year: his accounts to be previously audited by two stockholders, not Trustees, to be appointed by the Board. The Trustees shall have power to remove all, or any, of the aforesaid officers, when they may think expedient; and shall present a detailed account of their proceedings to the annual meeting.

X. Any five trustees shall form a quorum for business. The Trustees shall have power to convene the Association when they think needful; and they shall do it when requested by any ten members of the Association.

XI. No amendment shall be made to this Constitution, unless by the approbation of two thirds of the stockholders present at the stated annual meeting.

Trustees present—L. Halsey, S. C. Jennings, Job F. Halsey, L. Loomis, H. Denny, A. L. Saunders, P. L. Passavant, G. H. Miller, S. Church, C. Avery, S. Thompson, M. Leech, John McKee, F. Herron, and R. N. Havens.

At a meeting of the West Pennsylvania Lyceum, the following gentlemen were elected officers for the ensuing year:

Hon. HARMAR DENNY, President.

R. N. HAVENS, Secretary.

SAMUEL CHURCH, Treasurer.

And Samuel Findlay was elected a Trustee, *vice* Samuel Church, appointed Treasurer, and the following gentlemen were appointed on the Executive Committee, to whom application for the admission of scholars must be made.

Samuel Thompson.

Luke Loomis,

Rev. Charles Avery,

Rev. L. Halsey,

R. N. Havens,

A. L. Saunders, Zelenople

Applicants for admission to the school, must be fifteen years of age, and of good moral character.

The terms for the present will be—Tuition \$20 per annum. The labour of the students to pay for their board.

[Pittsburg Gazette.]

## THE SWEDES.

The following few facts concerning the Swedes, the earliest cultivators of our soil, may be worthy of some brief notices, to wit: Penn's letter says the Swedes and Fins came soon after the Dutch; while the latter pursued traffic the others turned to husbandry, settling chiefly about the freshes of the river Delaware. Such as Penn saw them, they were a plain, industrious people, but had made no great improvements. Their houses were full of fine children,

Numbers of Swedes lived about Kensington and on Gunner's creek, before the arrival of Penn. They had grants of land from Alexander Henryon, the Governor of New York, as early as 1664—that is the date of the deed to old Peter Cock for Shackamaxon. On that creek, three fourths of a mile from its mouth, now so diminished, they once built large sloops, and afterwards a brig at its mouth.

The Swedes dwelt in numbers on Tinicum, calling the place New Gottenburg. At their church there, the first corpse ever buried was Catharine, daughter of Andrew Hanson, October 24, 1646.

To the church upon Tinicum Island all the Swedes, settled along the Delaware, used to go in their canoes from long distances. They did the same in visiting the primitive log church at Wicaco,—almost all their conveniences were preferred by water. There was a store upon Darby to which they always went by water, even when the land route was often nearest.

The old Swedish inhabitants were said to be very successful in raising chick turkeys; as soon as hatched they plunged them into cold water, and forced them to swallow a whole pepper corn,—they then returned it to the mother, and it became as hardy as a hen's chick. When they found them drooping, their practice was to examine the rump feathers, and such two or three as were found filled with blood were to be drawn, and the chick would revive and thrive.

Kalm, the Swedish traveller, who was here among his countrymen in 1748, has left us such notices as follows concerning them, to wit:

The ancient Swedes used the sassafras for tea, and for a dye. From the persimon tree they made beer and brandy. They called the mullein plant the Indian tobacco; they tied it round their arms and feet, as a cure when they had the ague. They made their candles generally from the bayberry bushes; the root they used to cure the tooth ache with; from the bush they also made an agreeable smelling soap. The magnolia tree they made use of for various medicinal purposes.



The houses of the first Swedish settlers were very indifferent; they consisted of but one room; the door was so low as to require you to stoop. Instead of window panes of glass they had little holes, before which a sliding board was put, or, on other occasions they had isinglass; the cracks between logs were filled with clay; the chimnies, in a corner, were generally of grey sandstone, or for want of it, sometimes of mere clay; the ovens were in the same room. They had at first separate stables for the cattle; but after the English came and set the example, they left their cattle to suffer in the open air. The Swedes wore vests and breeches of skins; hats were not used, but little caps with flaps before them. They made their own leather and shoes, with sole (like moccasins) of the same materials as the tops. The women too, wore jackets and petticoats of skins; their beds, excepting the sheets, were of skins, of bears, wolves, &c. Hemp they had none, but they used flax for ropes and fishing tackle. This rude state of living was, however, in the country places principally, and before the English came, who, rough as they must have also lived for a time, taught a comparative state of luxury.

The Swedes seem, however, to have retained an hereditary attachment to skin garments, for within the memory of the aged Mrs. S. she had seen old Mauntz Stille, down the Passyunk road, in his calfskin vest and jacket, and buckskin breeches.—*Watson's Annals.*

#### *From the Presbyterian.*

HISTORY OF

### THE PRESBYTERY OF PHILADELPHIA,

NO. I.

*From its origin, A. D. 1706, to A. D. 1831.*

#### INTRODUCTION.

A history of the Presbyterian Church in the United States, is yet a desideratum. The importance of the object has not been overlooked, for as early as the year 1792, a special committee were appointed by the General Assembly to collect materials and proceed with the execution of the work. The difficulties which they encountered in obtaining the necessary documents, in connection with circumstances arising from professional engagements, have hitherto retarded the accomplishment of this interesting design. It is extremely desirable, however, that the project should not be abandoned. A church which has its ramifications in almost every state and territory in the Union; which in numerical force may be considered as occupying a place in the front rank; whose moral and religious influence is commanding and widely diffused, and which, in regard to wealth and talent, would not suffer by comparison with any other religious denomination in our country, deserves, and demands a historian. And circumstances appear to indicate the propriety and necessity of an early accomplishment of the object; as the older records are exposed to many casualties which may prove destructive to their existence, whilst much information which may be termed traditionary, is in the lapse of every year becoming less exact and authentic.

It has occurred to the author of this sketch that if an individual from each of the Presbyteries, and especially of those of the earliest date, should be charged with the duty of collecting and publishing the most interesting facts relating to the history of his own particular Presbytery, the general historian of the Church would be furnished in the most effectual manner, with ample and authentic annals, and thus be enabled to discharge his duty with comparative ease.

The present essay has been undertaken in the hope that the example may prove stimulative, and that the inferior judicatories of the church, may perceive the propriety of respectively contributing their quota of materials.

#### GENERAL VIEWS.

The Presbyterian Church assumed its ecclesiastical

form in the United States, at a date posterior to the establishment of the Puritans, Roman Catholics, Quakers, and Episcopalians. It is to be presumed that individuals of this denomination, had in the spirit of personal enterprise, emigrated at an early date of the settlement of the country, and were scattered throughout the colonies; but these were destitute of any bond of union, and were, in consequence, in no place sufficiently numerous to associate in congregational, much less in a Presbyterial capacity. The Puritans of New England, the Roman Catholics of Maryland, and the Quakers of Pennsylvania, Delaware, and West Jersey, had emigrated from religious motives, and as they principally desired to preserve their distinctive religious character, in a land far removed from the vexatious evils, to which persecution had subjected them in the place of their birth, they came in large numbers, and selected their residence with a view to peaceful religious association in the observance of their respective rites. The cause which influenced them, had, as yet, exerted no power over the Presbyterians in Scotland. In the enjoyment of a religion established by law and comprehending the larger portion of the talent, wealth, and population of the nation, they had no inducement, or rather were compelled by no necessity to flee in large numbers to the uncultivated wilds of America.

Soon after the restoration of Charles the 2d, however, the Presbyterians of Scotland and Ireland were subjected to a prosecution, which, in consequence of the resistance it aroused, became perhaps, more severe than that experienced by their predecessors to this country.

The subversion of the established religion of a nation, and the substitution of another, which, from many considerations, was particularly obnoxious, could not be accomplished by the British monarch without resorting to the most inhuman executions, proscriptions and banishment. These measures, relentlessly pursued until the accession of William the 3d, in 1668, rendered the provinces of America a desirable refuge, in which the Presbyterians, particularly of Scotland, might retain their strong religious attachments with entire exemption from the perils which threatened them at home.\*

### THE DIARY OF A NATURALIST.

Or Memoranda of the weather; arrival of birds; flowering of plants, &c. for the spring of the year 1830. Kept at the "Bartram Botanic Garden," on the right bank of the river Schuylkill, below the city of Philadelphia. By John B. Carr.

March 1. Wind, a strong north-east, with snow and rain. Large flights of robins, (*Turdus migratorius*), feeding on the red-cedar berries, (*Juniperus virginiana*), in the vicinity of the garden. A small flock of cow-birds, (*Emberiza pecoris*), were observed feeding in the woods, with many blue-birds, (*Motacilla sialis*), which have been deceived by the mild weather of the last week of February. Spring, or winter aconite, (*Eranthis hyemalis*, vel *Hebeortus hyemalis*), snow-drop, (*Galanthus nivalis*), hearts'-ease, (*Viola tricolor*), and skunk cabbage, (*Pothos fatida*), in flower. In the hot-house we have a fine *Amarellis* in flower, from Rio de Janeiro. This afternoon two vessels sailed up the Schuylkill, the first this season.

2. Snow has fallen all night, and this morning is three inches deep—continuing to snow all day, and at sunset is eight or ten inches deep—wind NE. moderate—at 8. P.M. clear and freezing.

3. Fine sleighing in the morning, but commencing to thaw in the middle of the day—in the evening the sleighs were going through the mud—wind NE.—at sunset clear and cold, wind SW.

4. A fine March morning; the winter wren, (*Mota-*

\*See Christian Advocate, No. for January 1825, where this subject is more fully discussed.

*CILLA troglodytes*,) crested titmouse, (*PARUS bicolor*,) and black capped titmouse, (*PARUS atricapillus*,) are singing about the house as merry as crickets. The flowers are several inches under the snow yet—wind NE., and freezing.

5. A fine thawing day. Wind SW.—Thermometer 54° at 3 P.M. During the morning the jay-birds, (*CORVUS cristatus*,) killdeer plover, (*CHARADRIUS vociferus*,) and flicker, (*PICUS auratus*,) were observed—snow beginning to disappear.

6. Rained until noon—3 P.M. thermometer at 50°—in the afternoon very foggy—blue-jays and large flocks of meadow larks, (*ALAUDA magna*,) are flying about—wind SW.

7. Morning warm and drizzling—very foggy—blue-jays, winter wrens, blue-birds, killdeers, crested titmouse. In the morning there was a shower of rain from the W. with thunder in the distance. Lightning in the SSE.—wind brisk from SSW.

8. A clear warm morning: about 10 A.M. wind changed to N.W.—weather colder—saw a flock of wild pigeons (*COLOMBIA nigratoria*,) and cow-buntings. Began freezing about 5 P.M.

9. Ice this morning an inch in thickness. Clear and cool, wind NW., moderate. In the middle of the day thawing in the sun—crow blackbirds, (*GRACULA quis-cala*,) are seen about the house, very tame—freezing in the evening—wind WSW.

10. Fine moderate day—wind SW.—at 3 P.M. thermometer 44° in the shade. Robins are observed flying about. This morning commenced work in the garden.

11. Warm and hazy—8 A. M. thermometer 40°—wind SSW. rather brisk—cloudy at 11 o'clock with every appearance of rain—evening foggy, wind N. and cool—large flocks of red-winged black-birds, (*STURGES predatorius*,) passing to the north, and large numbers of ducks in the Schuylkill. The snow has not entirely disappeared, but I have observed the beautiful early veronica — in flower; (this lovely blue flower has puzzled our botanists;) common mouse-ear chick-weed, (*CELASTRUM vulgatum*,) appears as if it had flowered all winter, as there are ripe and half ripe seeds, and flowers on the same plant at present.

12. Warm and clear—wind SW.—thermometer at noon 47°.

13. Morning cloudy—thermometer 38°—at 10 A.M. cleared up warm—wind SW., very strong. Frost flower, (*DRABA verna vel EROPHILA vulgaris*,) in bloom—wild geese, (*ANAS canadensis*,) passing to the north—evening cloudy.

14. Fine spring morning—large flocks of red-winged black-birds, and crow black-birds flying towards the north—wind brisk from NW.—thermometer at noon 48°.

15. Warm and clear, wind NW.—planted peas, potatoes, &c. this day.

16. Cloudy and cool—wind NE.—thermometer in the morning 34°—at noon 40°—primroses, (*PRIMULA vulgaris*,) in flower in the open border.

17. Rain, and strong NE. wind in the morning—SW. in the afternoon—NW. in the evening. Rained all day—the pewits, (*NEOTICOPA nuntiata*,) have arrived.

18. Rain continues—wind SW.—about 10 A.M. shifted to NW.—Filberts and hazelnuts, (*CORYLUS*,) in flower.

19. A fine lively morning—a little ice and frost—wind NE.—thermometer at 10 A.M. 45°—3 P.M. 54°—wind NNW. Last evening the spring frogs, (*RANA flavi-viridis*,) were heard for the first time this season. In the evening a fine light breeze from the west.

20. Fine morning—wind SW.—thermometer at 9 o'clock A.M. 45°—at 3 P.M. 54°—evening 50°. Flickers singing.

21. Drizzling in the morning—wind SW.—thermometer at 9, 3, and 5 o'clock, 53°, 60°, and 54°. Shad frogs, (*RANA halecina*,) and leopard frogs (*RANA palustris*,) have made their appearance—a pair of winter wrens were building their nest in one of the green

houses—song sparrows, (*FRINGILLA melodia*,) cheer us with their music to-day.

22. Morning clear and warm—large flocks of wild geese flying towards the NE.—11 A.M. distant thunder towards WSW.—commenced raining at 4 P.M.—cleared at sunset.

23. Last night experienced a heavy thunder storm, accompanied with heavy driving rain from WNW.—morning fine—robins singing—wind NW.—afternoon blustering and cool.

24. A slight skim of ice this morning—weather clear and fine—wind NE.

25. Fine day until evening—robins continue their song—commenced snowing toward evening—wind NE.

26. Rain—stormy wind from NE.—large flights of wild pigeons flying toward the south—the whole township in arms shooting at them.

27. A fine moderate day—wind SW. Henbit or archangel (*LAMNUM amplexicaule*) in flower.

28. Morning clear, with a blustering wind from the NW.—afternoon fine weather—thermometer at 3 P.M. 54°.

29. Warm and slightly hazy—wind NE.—kingfisher (*ALCEDO alcyon*) flying about—red owl (*STRIX asio*) hooting—blue-flowered houstonia (*HOUSTONIA cerulea*) in flower.

30. Weather fine and warm—*Claytonia Virginica*, and speedwell (*VERONICA arvensis*) in flower.

31. Raining nearly all day—wind NE.—in the afternoon changed to NW. and cleared about sunset.

April 1. A fine day—wind SW.—apricots in bloom—peaches nearly open—shad fishing has commenced in Schuylkill—at 8 P.M. raining.

2. Continued raining all day—martens (*HIRUNDO purpurea*) have arrived from the south.

3. Weather fine and clear—wind SW.—Dutchman's breeches (*CORYDALIS cucullaria*, vel *DICLYTRA cucullaria*) in flower—pewits beginning to build their nests.

4. Fine weather continues—wind S.W. Colts-foot (*TUSSILAGO platensis*), witch hazel (*WICACAMMELIS virginica*), weeping willow (*SALIX babylonica*), and cornelian cherry (*CORNUS maculosa*), in flower.

5 and 6. Clear and warm—wind SW.

7. Clear and cool—wind N.—red-headed wood-peckers (*PICUS erythrocephalus*), are seen about the garden.

8. Clear and pleasant—wind SW.—apricots, peaches, red maple (*ACER rubrum*), hazelnuts, primroses, narcissus, jonquils, &c. in flower.

9. Morning cloudy, with every appearance of rain—wind NE.—clear at noon—ground ivy (*ELICHIOMA hederacea*), and puccoon, or Indian paint, (*SANGUINARIA canadensis*), in flower.

10. A NE. drizzling wind has continued all day.

11. A fine clear day—wind ESE. and S.—spice wood (*LAURUS benzoin*), Lombardy poplar (*POPULUS dilatata*), and skunk cabbage in flower—the little sparrows (*FRINGILLA socialis*) are plenty now.

12. Clear and warm—wind SW.

13. Fine weather continues—wind NE. Barn swallows (*HIRUNDO americanus*), and purple martins are now plenty.

14. A cold disagreeable day—wind NE.—afternoon showery.

15. The finest day we have enjoyed this spring—*CALTHA palustris*, *TRILLIUM sessile*, *TRILLIUM grandiflorum*, *JEFFERSONIA diphylla*, *ANDROMEDA corymbulata*, and service-tree (*PRUNUS botryophyllum*), in flower.

16. Fine weather continues—wind NE.

17. Warm and pleasant—in the afternoon wind SW.

18. Warm and cloudy—wind NE.—at 10 A.M. cleared up.

19. Morning and part of the afternoon clear and fine—in the evening cloudy, with the wind NW.

20. Morning disagreeably cool, with white frost—afternoon fine weather—hyacinths in full bloom.

21. Clear and warm—goldfinches (*FRINGILLA tristis*) have arrived.

22. Fine weather continues—chimney birds (*hirundo pelagica*), and house wren (*motacilla domestica*), have arrived—cow buntings are pairing.

23. Very warm—the plants suffer much from the prevailing drought—wind SW.—red bud censis (*canadensis*), and European horse chestnut (*esculus hippocastanum*), in flower—wood-robin (*tercus melodius*), chee-wee-bunting, (*emberiza erythrophthalma*), and summer yellow-bird (*sylvia citronella*), have arrived.

24. Clear and dry—wind SW. and W.

25. Very foggy and warm—wind E. and ENE. and variable.

26. A very acceptable rain, which terminates the 11 days drought.

27. A smart frost last night—ice was formed from the condensed vapours of the green house—wind NW.

28. Clear and warm—wind SW.—*cerastium tenuifolium*, *stellaria pubera*, tulips, horse-chestnuts, magnolias, double-flowering cherries, sweet scented shrubs, (*calycanthus floridus*), and lilac (*syringa vulgaris*), in full bloom.

29. Morning cool and cloudy—afternoon fine and warm—wind SW. Made a visit to New Jersey—observed the *silene pennsylvanica*, *euphorbia ipsecacuanha*, *arabis lyrata*, *antirrhinum canadense*, *reionias latifolia*, &c. in flower. The night-hawk (*caprimulgus americanus*) was noticed.

30. Clear—pleasant SW. wind. The whole garden appears animated with birds—orioles, sparrows, flycatchers, warblers, thrushes, humming birds (*trochilus colubris*), &c. are seen in every direction.

May 1. Clear and fine—wind SW. The shad fishing re-commenced this morning, having been suppressed since Monday, April 26, on account of the freshet. Birds as plenty as yesterday—garden overrun with visitors.

2. Fine weather continues—wind SW.

3. Morning warm, with showers—afternoon steady rain—wind SE. and NE.

4. Clear and warm—wind SW.—seeds of the white maple (*acer dasycarpum*) ripe and shedding.

5. Clear and warm—reed birds (*emberiza cyzevera*, now *icterus agripennis*), have made their appearance—night-hawks are observed flying about, and the whip-poor-will (*caprimulgus vociferus*) was heard during the evening.

6. Fine and warm—removed the plants from the green-house to day—*stellaria pubera*, *spireas*, and *viburnums* in bloom.

7. Morning cool—slight frost—wind NW.

8. Clear and warm—wind SW.

9. Weather pleasant—wind NE. and SW.

10. Fine weather continues—yellow breasted chat (*sarcoris australis*) singing.

11. Warm and dry—wind SW.—night-hawks setting.

12. Morning cool—a few humming birds were shot to-day. These birds are not so plenty this year, as they were last season.

13. Morning drizzling—wind NE. light—afternoon cloudy but no rain.

14. Light rain in the morning—afternoon clear.

15. Clear and warm—wind SW.

16. Clear and warm—rode up to the gulf mills, about 17 miles NW. of Philadelphia, and observed some plants of ginseng, (*panax quinquefolia*), and *gerardia quercifolia* growing near the road. Caught a rare species of scarabæus.

17. Morning foggy—remainder of the day clear and warm.

18—21. Warm and clear—southerly winds prevail.

22. Warm and clear—evening cloudy, with every appearance of rain—wind SE.

23. Cloudy—commenced raining at 2 P. M. and continued until evening.

24. Clear and warm—occupied in preparing plants, rare flowers, fruits, &c. for the Horticultural exhibition, to be held by the society in Philadelphia, on the 25th and 26th.

25. Cool and cloudy in the morning—wind NE. brisk.

26. Warm and clear.

27. Clear and warm—brought the plants home from the exhibit ununinjured.

28. Fine weather continues—the humming birds are building their nests.

29. Very warm—wind SW.

30. Drizzling all day—wind ESE.

31. Clear and warm—wind SW.

June 1. Morning cloudy, and drizzling—the humming birds have commenced incubation.

2 and 3. Clear and warm—wind SW.

4. Rain—wind NE.

5. Clear and pleasant—a few of the periodical or 17 years locust (*cicada*) singing.

8. Rain—wind NE.

7. Clear and warm.—Summer has commenced.

## ANTHRACITE, A FUEL FOR STEAMBOATS.

We are much gratified to find by an extract of a letter from a friend in Philadelphia, which we take pleasure to insert in our columns of this week, that this truly great branch of economy and comfort is destined to be aided by the greatest staple of Pennsylvania, Anthracite coal—and we respectfully refer our readers to the extract.

It may not be amiss to inform the public how easily this experiment has been made.

The steamboat Pennsylvania was originally built for a leading passage boat to ply between Philadelphia and Bordentown, &c.; for which purpose she succeeded pretty well until more powerful engines were introduced into passage boats, to give a swifter motion, when she went out of the service and was laid up for several years. The boat and engine were finally sold to the Lehigh Coal and Navigation Company, for the small sum of \$1800. It was the Company's intention to use her for towing their coal in tide to Philadelphia, and to fit her up so as to use the Lehigh coal under her boilers. They made an application to one of the first rate engine makers in Philadelphia for an estimate of the cost to fit her up, and the estimate being about \$3000, was deemed too discouraging to make the change. The Board on a further examination of the engine by their committee, came to the conclusion that no radical change was wanting and that two alterations only were necessary to consummate their wishes. The first was to make a new set of grating of the length of the old ones with spaces between each  $1\frac{1}{4}$  inch in the clear, and raise them about 6 inches.

The 2d, or other alteration, was to throw aside the wood, and use coal only; retaining, however, sufficient wood to completely kindle the fire.

The whole expense of the alteration very little exceeded \$100; and thus the mountain of difficulties which had suspended the operations of their steamboat more than a year, ended in the trifling alteration of the grate bars, when complete success attended the experiment. —*Mauch Chunk Courier*.

### Anthracite Coal succeeding in Steamboats.

The following extract of a letter from a friend in Philadelphia, completely removes all doubt as to the fitness of anthracite coal as a fuel for raising steam, and proves its vast superiority over wood for that purpose.

"You request to be informed of the operation and performance of the Steamboat Pennsylvania, which boat is now regularly plying between Philadelphia and Coal Haven, (near Trenton) about 33 miles, in towing the arks of coal for the Lehigh Coal and Navigation Company from Coal Haven to Philadelphia. We use under the steam boilers Lehigh (anthracite) coal exclusively, excepting in lighting up the fire which is done with wood.

It takes 50 minutes, from the time the fire is lighted



to get the steam from cold water up to 16 inches of pressure, when it maintains that pressure during the voyage to Coal Haven; the engine making 20 a 25 revolutions per minute, and on returning she tows three full sets\* of Delaware arks, carrying nearly four hundred tons of coal, making 10 to 15 revolutions per minute. She consumes in the trip about 3 tons of coal; egg coal is preferred by the engineer, which coal it is believed at the present prices does not cost half as much as wood, to produce equal effects on this engine. Our engineer on board the Pennsylvania (who was a sub-engineer on the same boat formerly when she used wood fuel) declares that in the best period of the boat when using the best wood they could procure, she never did so well as she now does."—*Id.*

*Sales of Public Stocks in this city during the week ending 25th inst.*

		Par.	price
\$4,420	U. S. 4½ per cts. of 1828 and 1829, at par and interest,		100
2,000	Pennsylvania fives redeemable in 1850, at 108½	100	
2,000	Do do do 1850, at 109	100	
1,000	Do do do 1854, at 109½	100	
1709 54	Do do do 1854, at 109½	100	
725 46	Do do do 1854, at 109½	100	
600	Lehigh sixes redeemable in 1834, at 102½	100	
2,350	Do do 1836, at 103½	100	
4,200	Do do 1839, at 104½	100	
4 shs	Bank of North America, at 463	400	
7 "	Farmer's & Mech's Bank, at 69	50	
100 "	Do do at 69½	50	
10 "	Commercial Bank, at 64	50	
37 "	Mechanic's Bank, at 49½	35	
58 "	Do do 49½	35	
200 "	North American Insurance, 11 80	10	
15 "	Pennsylvania Fire Insurance, at 59	50	
25 "	American Insurance, at 26½	25	
3 "	Chesapeake and Del. Canal, at 156	200	
90 "	New Castle and Frenchtown Rail Road, at 25½	25	
40 "	Philadelphia, Germantown and Norristown Rail Road, at 7½	5	
10 "	North American Coal Company, at 13	25	
7 "	Pennsylvania, Delaware and Maryland Steam Navigation Company, at 15	50	

Furnished by SYLVANUS LEHMAN, Stock and Exchange Broker, No. 4½ south Third street.

**CATERPILLARS.**—These insects are making havoc in our orchards and gardens, and we see it stated, that in some parts of the state, they strip the forest of its verdure. In this town and neighbourhood, a taste for the best kinds of fruit trees prevails, and those who have been at the expense and trouble of obtaining choice varieties, very naturally try all prescriptions found in books and newspapers, to prevent the depredations of caterpillars upon fruit trees. Boring and introducing sulphur has been tried, but without the desired effect, as have been all other remedies of the preventive kind, so far as we can learn. The only effective means of arresting the ravages of this insect, are to cut off the hough or leaves on which the eggs, from which it is produced, are deposited, and to cast them into the fire. This last precaution is necessary, because if the caterpillars are trodden under foot, there is danger some of the larvæ may remain to be warmed into life.

But unless ALL who have fruit trees, destroy these destroyers, the effects of those who do proceed in it will

be ineffectual, for the increase of the insect tribe is prodigious, and if they are permitted to remain undisturbed on one tree, enough will arrive at maturity to pollute a whole neighbourhood.—*Harrisburg Chronicle.*

**NATIVE SILKWORMS.**—We are informed that a lady, near Georgetown, D. C., has a couple of cocoons of the native silkworm of so extraordinary a size, that a description of them, and the fly that has come out of them, is deemed worthy of publication. The cocoon is fully as large as a turkey's egg, and resembles that of the common silkworm in other respects, except in the fibre, which looks like flax. The fly is very beautiful, and very large, the size of a wren. Its antennæ are black, legs and back red, body striped. It measures between the extremities of its wings six inches. We should be glad to obtain the flies for preservation; and if they shall have produced eggs, a few would be very acceptable.—*American Farmer.*

The worm referred to, in the above article, is frequently found in this region. A cocoon was handed to us, in the summer of 1829, by our neighbour, Major Philips, taken from the twig of an apple tree in his garden, and the fly it produced was one of the most splendid insects we ever beheld. The worm is large, its colour beautifully variegated with red and yellow, feeding upon various garden vegetables, but seems to prefer the fennel and loveage plants, more than any other. We have been politely favoured by Major Philips with a number of the eggs, produced a few days since, which we have transmitted in a letter, per mail, to the postmaster, Baltimore, for the editor of the "American Farmer."—*Crawford Messenger.*

## THE REGISTER.

JULY 2, 1831.

More completely to designate our Register from all other works of the same kind, we have made a slight alteration in the title.

We have received the first number of the "Monthly American Journal of Geology and Natural Sciences" and are gratified with the appearance, in this city, of a work, which promises, so far as we can form an opinion from a cursory view of its contents, to impart useful information in that department of knowledge, and to inspire a love for the study of nature. It is to appear monthly—is published by Henry H. Porter, at the moderate price of \$3 50 per annum; and is edited by G. W. Featherstonhaugh, Esq., whose lectures on geology were lately so numerously attended by our citizens. Besides the "Diary of a Naturalist," which we have taken the liberty of inserting in to-days Register, the present number of the Journal contains several interesting articles; among which, we notice the introduction to a "continuous Essay on Geology," an account of the "Rhinoce-roides Alleghaniensis" found in this state, and also an essay "on the ancient drainage of North America, and the origin of the cataract of Niagara," all from the pen of the editor. The present number also contains two lithographic plates; of which, there are to be at least twelve in the year.

We are happy to notice, that the sale of the valuable "Catechism of Health," has been so rapid as to encourage the publication of a second edition.

Printed by WM. F. GEDDES, No. 9, Library st.

\*It may not be inapplicable to remark that the fleet of arks is composed of twenty seven distinct sections, with square bows, which doubtless retards the speed in a great degree, and renders the velocity much less than if it was one boat with keel and rudder and a sharp bow.

# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 2.

PHILADELPHIA, JULY 9, 1831.

NO. 184.

## AN ESSAY ON HYDROPHOBIA.

*An Essay on the Affections supposed to result from the Bites of Animals, and known by the appellation of Hydrophobia. By J. C. ROUSSEAU, M. D., member of several learned societies.*

[Concluded from p. 4.]

If the popular terror, generally entertained concerning hydrophobia, could only be once mitigated, and all the cases observed with coolness and an unprepossessed mind; we cannot doubt that they could all be traced to natural accidents and ordinary causes. But those are extremely few who are so zealous as to be willing to embrace the few opportunities which are offered, to forward this end.

Persuaded, for my own part, that the seed of truth is as easily sown as that of error, I have not neglected the undertaking; though, conscious from experience, that in such a work, much of the labour is generally lost. Nevertheless, it is consoling to reflect that the value of the harvest may compensate for its scarcity.

I shall relate a few cases of those that I have closely observed, neglecting nothing, and sparing no pains, necessary, to the complete history of them. They will I expect, corroborate the opinion that I have supported in this inquiry.

The following must be fresh in the memory of several of our members; and the noise it made in the newspapers of this country, is hardly entirely subsided.

1. About the latter end of June 1819, three respectable physicians of this city were attending a lady of Southwark, and, after her death, reported her case as *hydrophobia*.

On the 3d of July following, I was called to visit a young lady, eldest daughter of Joseph Barry, captain of the packet ship *Telegraph*, of this port, also residing in Southwark. She had been severely bitten, on the leg, by the same dog that had caused the death of Miss F. above alluded to.

One of the three physicians who attended Miss F. during her illness, had, I was informed by Mrs. Barry, been consulted on the case of her daughter, and advised the excision of the wounded part. But as I had been the physician of the family for a number of years, she thought proper to postpone the operation, until she could have my opinion.

The popular excitement was high and general, particularly in the neighbourhood; and the reports were so various that one could not be too cautious in accrediting them.

I thought it advisable, having already learned from the reports of a number of persons I met on my way, not to act with too much precipitancy, and went out to collect more information.

I discovered that a little boy residing in the same family with Miss F. who had also been bitten by the same dog, was exhibiting no sign of illness, and that his wound was healing kindly.

I learned from him, as well as from the many idle stories of others, that the culprit was a little slut belonging to Mr. Kane, a tobaccoist, residing at the N. E. corner of Second and Christian streets. I went immediately to see him, and was informed, that he and his daughter had likewise been bitten by the little crea-

ture, of which bites they did not entertain the least apprehension; remarking, with a smile, that she was excusable; for, added he, "she was in a situation that too frequently turns men and women raving mad, and, therefore, I wished her no harm. But the panic was so great among the neighbours, as she had bitten many more men and dogs, that to please them, my daughter (neither of us having the heart to kill the poor animal) carried her, in her apron, to some man, who took her with one hand, and chopped off her head with the other."

After this, I thought all safe enough in sparing the flesh of the young girl; and for the purpose of calming the public, I immediately published a fair exposition of the fact in *Relief's Gazette*.

Ten years nearly have elapsed since this alarming occurrence; but neither men nor animals that had been bitten by that pretended mad dog, have yet shown any sign of derangement.

It is, however, not amiss to show, that obstinacy can always find some rampart against the attacks of truth. It will, I fear, hardly be believed that on my relating the above and other facts, I was told that by killing the dog, the disease is prevented in those that have been bitten! For the same reason, I presume, that, formerly, to cure a wound, the sword, that had inflicted it, was anointed, dressed and nursed!

2. A male child, about five years of age, was seized with melancholy, attended with a drooping countenance, loss of appetite, glaring eyes, and tremor of the limbs. Early in the morning of the next day he became very restless, and in a short time so much agitated, that he could not be kept in bed. He refused medicines and drinks, and slabbared considerably, talking incoherently and wildly about cats.

The cat of the house was looked for, but could not be found. Information was received from the children of the family, that the animal had run away in a fit.

Madness was immediately the cry. Two of the most accredited physicians were sent for, who pronounced the disease an evident case of *hydrophobia*.

I was a friend of the family, and, happening to pay a visit at that time, was asked to examine the child. He was in a state of extreme agitation, with all the symptoms I have already related. A sweat was running from his face and breast; a violent spasm was remarkable in the muscles of his neck and throat. He protruded his tongue as it craved something, and exhibited all the symptoms of the greatest agony. I had not yet retired, when the attending physicians returned. They tried to make him swallow some drops, but he raised his hand against the cup, with a roaring noise in his throat, and, apparently, with great anger and terror.

Unable to find any marks of a bite or scratch on the child, I took the liberty to observe, that in the absence of any lesion, the infection from a rabid virus appeared, at least, doubtful. But the physicians were both of a contrary opinion; alleging that rabies could be contracted in various ways; that numerous cases were on record, by which it was satisfactorily proved, that the mere breath of a rabid animal could communicate the disease. As they were both senior to myself by many years, I bowed respectfully; but before I left the room I asked the liberty of putting my finger into the mouth

of the child to ascertain the state of the fauces, which I found extremely contracted. This was assented to by the gentlemen, who, I dare say, viewed this as an indication of rashness. Death took place the following day, or soon after, for I now relate from memory. I was informed of it, and proposed an examination of the body, which was assented to.

A quantity of flowers of the belladonna were found in the stomach, which as well as the œsophagus and fauces, was in a state of great turgescence and inflammation. So much for rabies in this case.

3. In the year 1805, a seafaring man, apparently in great distress, called on me for relief. He had, some years previously been bitten by a dog, and exhibited the mark of the wound on his leg. His sensations were, he said, such as he never felt before. Every thing made him peevish and ill natured; he could not content himself any where, nor could he rest, eat, or drink. His ship mates were constantly teasing him about his turning mad; telling him that he would be smothered between two mattresses or shot, and plaguing him with the usual stories connected with such cases.

It was not long before he was really taken sick, and I was requested to visit him.

I found him labouring under a most violent attack of tetanus; his locks were so wild that no one dared to come near him. No information could I obtain from him and no one could be persuaded to take care of him; so great was the panic created by the superstitious stories related with reference to his case.

Having after much trouble convinced some of the bystanders that he could not bite on account of his teeth being violently clenched together, they assisted me in applying large blisters upon all the parts we could get access to. Then, taking advantage of a vacancy between his teeth, I endeavoured to throw in some liquids; but he returned them with violence and anger. Enemas were not resorted to.

No doubt was entertained by those who visited him, that his case was hydrophobia from the bite he had received some years before.

On the third of my attendance, the large doses of opium suspended in water, which he had taken by injection, had already relaxed the system. I was then informed by one of his attendants that a large swelling attended with great redness, was observable on his right wrist, and that they had learned from one of his visitors that, six months before, he had a very sore hand. I examined the part and found that some foreign body could be felt in the wrist, between the tendons. The former wound being completely cicatrized, I laid it open, and found a splinter of wood more than two inches in length, and three-eighths of an inch thick. The tetanic symptoms continued however, for some time; but the continuance of large doses of opium, amounting sometimes to the quantity of thirty-six grains in 24 hours, produced at last a relaxation.

Had death in this instance, taken place without the discovery of the cause of the disease, it would have been considered as an indubitable case of rabies.

Such was the dread left on the mind of this patient, that on my meeting him some years after in the street, and, speaking of his past illness, he was seized with a general tremor, and angrily declared that he believed that if I spoke again of his disease, he would be thrown again into a fit of lock jaw!

4. William Wilkey, upwards of eight years of age, had been bitten on the middle finger of the left hand by a dog that, after having bitten several dogs in the country about Bristol, had been pursued and killed as a mad dog. All his friends advised him to have his finger amputated, and he applied to me to perform the operation. All my representations to the contrary producing very little effect to make him alter his determination. Having, however, ascertained that he was not willing to trust any one else to perform the opera-

tion, I persuaded him to wait. Fear had already created symptoms of an impending hydrophobia. He felt a constriction of the fauces, and experienced some difficulty in swallowing his saliva. I persuaded him at least, that his indisposition was owing to fatigue and uneasiness of mind, dressed his finger, and supplied him with some opiates, and thus saved him from madness and the loss of his life.

It is not to be doubted that the cure would have been more ostentatious and more admired, if I had unfeelingly lopped off the finger of the poor fellow.

Cases are not wanting to prove that an excited imagination without any other cause, has, in instances, developed all the symptoms of hydrophobia. One of this kind may be found in the *Journal de Medecine de Paris*, 1814. Kindness, attention, and proper consolation restored the patient, a young student of medicine, to his reason and to health. Another case is to be found in the *Annales Literaires Med. Etr.* 1811.

The patient died with all the symptoms of canine madness, from the bite of a cat that was even suspected of being rabid. PINEL relates a case of death, with all the symptoms of the most evident hydrophobia, from the bite of a horse, that, neither at that time nor at any subsequent period, showed any sign of disease.

Hydrophobia is not uncommon in hysteria. The abuse of mercury has, not unfrequently, been the cause of it.

I have not, I hope, led any one to suppose that hydrophobia cannot result from the bite of dogs. My arguments are simply intended to combat the erroneous idea of a rabid virus, and to allay the terror generally entertained of mad dogs. For, if I do not believe the accidents that have been witnessed to be the result of a specific venom, I have powerful reasons to acknowledge, that the bite of dogs, either sick or well, is not unfrequently attended with extreme danger, and ought to be avoided with the utmost caution.

What I have occasion to wonder at, is that human genius, as if it were not satisfied with all the evils and calamities thrown in our way, and daily threatening our existence, should have fancied and contrived additional imaginary ones. Partiality for mysterious causes and effects, is one of the most prominent characteristics of the human mind.

The rabid poison is not the sole imaginary bane of human invention; and no great effort of mind is requisite to understand why it, and syphilis, and witches, and vampires, and loup garons, and syens, and ghosts, &c. &c. have, so long, been reverently accredited. Every one has some business to do. *Tot mala, tot antidota.*

I have known people, and I have given it as my opinion, to entertain no apprehension from eating the flesh of a pig or a cow that had been bitten by a *soi-disant* mad dog. Experience has repeatedly confirmed the correctness of this opinion.

Dogs are undoubtedly liable to disease: and maladies are sometimes epidemic among them, as well as among cats. But, have their diseases been studied; and do we possess sufficient data to pronounce upon their particular character? As soon as a dog shows some signs of indisposition, with a morose and dejected countenance, instead of looking for the cause of his disease, he is kicked and turned out. Does he wander out of his habitual places, and, through fear or timidity, walk with a drooping tail, he is taken for a mad dog; and, if he happen to be attacked by other dogs, and attempt to bite in his own defence, ten chances to one if he is not put to death without mercy or further inquiry.

What I have seen of dogs under a state of disease, inclines me to think, that they, then, rather lose their natural temper for watchfulness and ferocity. They lie down and secrete themselves if they can, and, unless it be in their own defence, seldom bite; and if they resort to that extremity, their bites do not appear to be, then, more dangerous than at any other time.



During the panic excited in this city, by the report of the death of Miss F——, of Southwark, I had, in my family, a sick dog that exhibited more of the symptoms of madness, than any I had seen killed for this supposed malady. He was a favourite with all my children—they nursed him, and through the care and attention paid to the animal, he recovered, and is still alive.\*

That a sick dog or any other animal, should show an aversion for food and drink, is a circumstance consonant with the laws of the animal economy, and cannot be characteristic of any particular disease.

It is not without extreme pleasure we observe, that the reports of cases of hydrophobia, from the bites of animals, are neither so numerous nor so fabulous as formerly. This cannot, we may reasonably suppose, be attributable to any other cause than to a more extensive dissemination of knowledge; creating, in our population, a greater degree of fortitude, and enabling every one to compare and judge with less prejudice.

We confidently anticipate the time, when, by the exertions and investigation of unprejudiced men, all the fabulous stories respecting canine madness will either be entirely forgotten, or treated with derision and contempt, and the diseases resulting from bites, viewed and treated like all the tetanic affections from general causes; attributing the variety and intensity of their symptoms, to the diversity in constitution and habits of body, the higher degree of irritability of the subject, the greater degree of sensibility of the wounded parts, the extent of the injury; in a few words, to the multiplicity of incidents resulting from circumstances, and the influence of uncountable and unknown causes, to which organized bodies are unavoidably exposed.

Having endeavoured to place hydrophobia in its proper light, I shall now devote some time to the examination of the various modes of prevention and cure, proposed and put in practice at different periods, and those now recommended by prudence.

Whether hydrophobia be the result of a specific virus or not, it is, under every shape, one of the most formidable diseases that we have to encounter; and the dread of it being one of the most prominent features, our attention should be directed not only to the disease, but to every thing else that may, from prejudice or otherwise, have a deleterious tendency. This is, certainly, not the easiest part of the task.

As the belief has been, and is yet unshaken, that this disease is of canine origin, quackery, favoured by popular opinion, has spared no pains to circulate a vast number of nostrums for preventing dogs from being affected by this disease, under the persuasion, that, if dogs were safe, men had nothing to fear.

The application to the forehead of a red hot iron, of different forms, according to the superstitious notions of different countries, has been, and is yet, thought of indubitable efficacy; chiefly among the peasantry and the lower classes. Cutting the tip end of the tail, and pulling something out of it, some have great faith in, as well as in amulets tied round the neck.

PLINY recommends hen's dung; JAMES, turbitb mineral; others, antimony. Indeed, any thing may be recommended; for, as I have remarked, the uncertainty of the existence of this disease, may support the credit of the most insignificant nostrums, on account of the impossibility of detecting the imposition.

The worming of dogs, or extracting something from under their tongue, nobody knows what, although recommended at the time of PLINY, is supposed by some to be a modern discovery. The rationale of this operation has never been given, nor does it appear to be very evident.

Muzzling the dogs appears, in our city, as a dernier

resort for insuring the safety, or calming the apprehensions of the community. A great deal is thought of it, particularly by those, who, from various motives, justly deprecated the barbarous law for killing our dogs.

Against this expedient, at least as good for the people, and better for the animals, I should be reluctant to raise any objection, as long as our dogs are not better muzzled than we see them at present. The principal object being to quiet unfounded fears, it does not matter how this is obtained; if the means are humane, and not shocking to our feelings.

But if the muzzle were put on tight enough to prevent dogs from biting, it would likewise prevent them from drinking, and obstruct the passage of the saliva, which, when the creatures are heated, runs abundantly from their mouths.

In times of epidemics, prudence requires that dogs should be confined. Their food and drink ought to be carefully regulated and changed; and when they are kept in kennels, the utmost degree of cleanliness is to be observed; fumigation being used, as well as white-washing, and scrubbing with lime-water. Their litter should be made with dry, and, if possible, nearly scorched straw; for vegetable putrefaction is, more than any other, the source of malignant diseases.

They ought to be often led through running water, and kept in it as long as possible.

Superstition has gone so far as to make some believe, that they may be secured against the bite of mad dogs, by wearing certain amulets. Finger rings are publicly sold in the streets of the cities of Europe, under the name of *Bague de St. Hubert*; with the assurance that, as long as they are worn, no danger is to be apprehended from them. It may be as good a talisman as the horse shoe, the snake stones, quarantines, &c. &c. they all keep the human mind in a state of placidity, do no harm, and give employment to many.

I cannot take leave of this subject, without taking a cursory view of the therapeutic means now in our possession.

We have advanced but little further in our curative than in our preventive means. From our predecessors, except the excision and canterization of the wounded parts, we derive but little knowledge for the cure of hydrophobia. Their remedial means were, as we have already said, either insignificant or terrific.

The practice of plunging, and keeping the patient under water, until he was exhausted and nearly drowned, was followed for a long time; but few, if any, received real benefit from it.

Opinions are very much divided concerning the course to be pursued in the cure of tetanic diseases, of which we may consider hydrophobia as merely one of the symptoms, marking an excited state of the affection.

It is extremely difficult to trace a general route; for, in some cases, and indeed not very unfrequently, the phases of disease succeed one another so rapidly, that the remedy indicated at one period, can scarcely be applied at a more advanced stage. Hence the repeated failures of the various remedies boasted of.

If it were possible to see the patient on the invasion of the disease, and practicable to be constantly at his bedside, our success would undoubtedly be greater.

The remedies now held as the most energetic, and which are highly recommended as having been most successful, are mercury and antispasmodics. I have always found opium extremely beneficial, particularly when the administration of it can be safely pushed to large doses.\* The promptitude of its action upon the animal system, entitles it to the highest degree of confidence.

Mercury presents resources not to be found in other

\* DR. WILLIAM SHAW, spoken of before, has seen many cases of the kind, and the bites have never proved more dangerous than under other circumstances.

\* I have given it, with success, to the extent of thirty-six grains a day; and Dr. W. Shaw assures me, that he has gone as far as forty-eight grains, daily, for several days. Munstrous doses are on record.

remedies, from the variety of forms, and the diversity of ways in which it can be administered. Its introduction has been owing chiefly, I presume, to the gratuitous supposition of a rabid poison introduced into the system; under the expectation that, since it had proved an antidote against the venereal poison, it might, by its power of acting upon the salivary glands, be still more efficacious in hydrophobia, (whose cause was supposed to have originated in the mouth of the dog,) and by a profused salivation expel the morbid poison. Thus was one supposition supported by another, and reasoning founded on an analogy that does not exist.

Yet, as it is not absolutely necessary that a remedy should possess a specific power to prove beneficial, no objection can be found to combining mercury with opium; especially when we know, that they have been repeatedly administered together, to the great relief of the patient.

The asthenic practice has never been crowned with great success, nor does it seem calculated to promise much good. If it were possible to foresee the intensity of the symptoms before they are established, depletion might, perhaps, guard against them; but too many circumstances forbid such an expectation, and when we are called to see a patient, it is mostly too late to resort to it. Besides, is it possible to reduce the irritability, the sine qua non of life, without sapping the very foundation of its existence, and running the risk of destroying the patient, when our object is to get rid of the disease?

Even admitting the disease to be caused by the presence of a rabid poison, the asthenic method would be found no less hopeless. When poisons have once begun to disorganize the animal frame, the poisonous matter is not the sole object calling for our attention: the means of enabling the organization either to eliminate, or to resist the shock produced by the venom, have, I presume, a much stronger claim to attention.

It is so difficult, and the instances are so rare, in which we may be enabled to expel or neutralize the poison, that the only resource left to us, is to support and assist the natural powers to combat the enemy. This, I am confident, is the desirable object to be obtained, rather by increasing than by reducing the *vis nature*. Yet as this cannot be effected by abrupt measures, our assistance ought, in all cases, to be judiciously regulated, in consonance with the natural energy of the individual, and the urgency of the case. *Ille labor, hoc opus*. Hence, good or bad management, in every undertaking, may acquire fame for, or sink into insignificance and oblivion, the same means.

Injections into the veins have lately been the subject of experiments, with no better result than I know of, than the exchanging of one disturbance for another. But few medicaments can, with safety, be introduced into the blood vessels, and the salutary effects of such a practice are at least doubtful. If it be intended to throw in the medicine and to have them carried, unchanged, into the general circulation, this route is but little better than the natural one: for if the drugs, introduced into the stomach, undergo some change, before they are offered to the acceptance of the lacteals, they, likewise, must suffer a considerable alteration in the lungs, to procure their admittance into the general circulation.

If the intention be to reach at once, and annihilate the morbid poison, the shorter route is undoubtedly through the arteries, where the specific could, more likely, be conveyed without alteration. Such an idea might please and satisfy many, who do not extend their views any further, but, to say the least of it, its practicability is extremely doubtful, and the benefits to be expected from the operation still more questionable.

The *modus operandi* of vast numbers of venomous substances remains yet in the dark; as seldom any vestige of them can be discovered, except by their ravages. Until we have advanced further in this knowledge, we are left to experiment with great uncertainty.

It is not, however, pretended, that judgment and ob-

servation cannot dispel the darkness in which we are often left to move. Remedies known to conceal no deleterious influence, may always be tried with safety.

Much of the success expected from the application of remedies, depends upon their timely administration, the knowledge and management of the proper quantities, that can be borne by different individuals; and the continuance requisite to obtain the proper effect. For, it is evidently known, that when the nervous system has been once thrown into a state of disturbance, it becomes extremely difficult to recal it back to its healthy standard, even after the removal of the exciting cause.

Such are my views of this important subject. They are not the result of a few hours' thoughts, but have been suggested by many years of reflection, and confirmed by repeated, close, and faithful observation.

In this investigation, I have not been influenced by any other motive than that of promoting useful inquiry; to efface, if possible, erroneous impressions, and quiet the unfounded fears respecting canine madness, on the appearance of the slightest symptoms of hydrophobia.

By bringing the human mind to reflect more coolly upon the diseases that have been stamped with terrific names, it will soon be found that they, like others, proceed from the innumerable causes that bring diseases upon the whole creation. Free from terror, our patients will view their situation with more firmness; and, confident in our cares, will expect with resignation the benefit of those means, which experience has taught us to rely on with most confidence.

I may not, in all respects, agree with every one; but I rejoice to find myself supported by a number of medical men, entitled, from their talents and unbiassed minds, to the greatest respect and confidence.—*N. A. Medical Journal*.

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REPORT OF THE  
PHILADELPHIA SOCIETY  
FOR THE ESTABLISHMENT AND  
SUPPORT OF CHARITY SCHOOLS.

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The managers, who were elected at the annual meeting, on the 5th January, 1830, assembled and organized the board immediately after the election, by the appointment of the usual officers, and standing and visiting committees.

The Schools are visited by a committee, every week; the hours of teaching continue from nine until three o'clock; and such regulations have been adopted, as were thought would most conduce to the general welfare.

The subject that has in years past claimed the attention of the members, was again brought into consideration, at the commencement of the last year; that of furnishing to the boys who had most advanced, some instruction in the higher branches of an English education. It was proposed to divide the boys' school into two rooms; in one of which, the present exercises should be continued under the superintendence of a principal monitor, subject to the direction of the teacher; and that the other room should be principally occupied by the teacher, as the higher school, with a class of scholars sufficiently sensible of the advantages of education, and of the privilege granted them, in being admitted to this room, as to induce a close attention to their studies. The proposed plan was not executed, for although it was considered, that many benefits would result to those pupils, who might thus obtain a knowledge of the higher branches of learning; yet the maintenance of the primary school, in the high reputation it has sustained for many years, which, it was feared, would be injured, if deprived of the constant care of the principal, was deemed of greater consequence to the general class of scholars. The importance of the primary school, is increased by the large number of boys in attendance, whose parents rely on the pledged faith of the Society, for a faithful attention to their education. It is, therefore



claimed in justice to those under our care, especially on account of the short period they are permitted to attend school, arising from the necessity which generally exists, of their being placed, in early life, to some trade or business, that they should derive every advantage in obtaining learning, during the short time they are allowed to devote to that object. It was, therefore, the conclusion of the board, that until the funds of the Society would permit the opening of a school under the care of an additional teacher, that it was an *imperative* duty, so to conduct the present school, as to "educate *gratis* in reading, writing, arithmetic, and other useful learning, the children of the poor of all denominations," in the best possible manner. This we believe can only be attained by the exclusive devotion of the time of our teacher, because the system of governing by monitors, without the constant attention of a principal to direct the whole, would be found very defective in the promotion of the general advantage of the pupils. With these views, the board regret that the state of the funds will not warrant the Society in opening and supporting another school, under the care of an experienced teacher, for the instruction of a limited number of boys in the higher attainments of useful learning. The attention that was thus given to this subject, has, however, led to the enlargement of a class in geography, and thirty-seven boys have been engaged in that study, who have progressed extremely well, and are already familiar with the geography of the U. States and of Europe.

The whole number of boys belonging to the school is 250; of whom, 110 write on paper, and 120 cypher—they all spell—and, with the exception of 15, they all read. The average attendance of boys, in favourable weather, is 185; the number admitted during the last year is 220.

The literary department of the girls' school, has been conducted by Sarah Morton; and the sewing department by Margaret Bonsall. There have been admitted, during the year, 216 girls; and the number now belonging is 190. The average attendance of the school is about 140. The daily attendance in the cutting out and sewing room is 40; and the instruction thus furnished to the girls, continues to give satisfaction to the managers. Since the commencement of the Society, about 9000 pupils have been admitted and partaken of the benefits of the institution.

Sarah Morton having given notice to the board, that at the close of the past year, she wished to resign the interesting charge, which had been, for many years, committed to her superintendence, the board felt the importance of supplying the vacancy with a teacher, possessing the valuable qualifications which are requisite for the instruction and care of youth. After much inquiry, it resulted in the selection of Margaret Bonsall to the literary department, and of Hannah Smith to the sewing school; whose duties commenced with the new year.

The board have been obliged to eject the tenant, who had possession of the estate in Kensington; and it is now satisfactorily rented at 50 dollars per annum. The lot adjoining, on Palmer street, has been purchased, by the instructions of the Society, for 190 dollars. The title papers were gratuitously drawn by F. Beates.

The managers now surrender the powers granted them, into the hands of their constituents, with the persuasion, that the same kind Providence, who has, heretofore, watched over their usefulness, will continue his guardianship, and bless the the labours of the Society.

By order of the board,

WILLIAM ABBOTT, Chair'n.

JNO. B. ELLISON, Secretary.  
Philadelphia, January 4th, 1831.

#### ANNUAL REPORT OF THE TREASURER.

To the Philadelphia Society for the Establishment and Support of Charity Schools.

The Treasurer respectfully reports his annexed an-

nual account current, as settled by the committee appointed for that purpose.

Balance in the treasury at last report, and received from Richard Price, late treasurer,	\$243 15
Received since from members and sales,	239 56
“ interest during 1830,	1297 34
“ rents, less taxes and repairs,	489 97
	<hr/>
	\$2270 02

Paid teachers and expenses,	\$1680 07
Capital stock, additional investment,	192 75
	<hr/>
	1872 82

Now in the treasury,	\$397 20
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The capital stock now stands as follows:

\$7,000 00 b'dly year's int. due 11th mo. 19, 1831,	\$420 00
4,000 00 do. 8th mo. 16,	240 00
3,000 00 do. 9th mo. 30,	180 00
1,500 00 do. 8th mo. 26,	90 00
1,500 00 do. 11th mo. 29,	90 00
1,500 00 do. 12th mo. 8,	90 00
1,100 00 do. 1st mo. 15,	66 00
1,000 00 do. 9th mo. 31,	60 00
153 00 do. 9th mo. 26,	9 18
150 00 do. 1st mo. 2,	9 00
2,500 00 house'y'r rent due 10th mo. 24, nett,	160 00
2,155 02 offices do. 12th mo. 15,	400 00
10,460 14 school-h. ce'l'r rent 11th mo. 1,	100 00
600 00 J. Evans' leg'y'ly'r 10th mo. 1,	36 00
40 00 library share, nett,	3 00
759 75 Kensington property,	
200 00 Union canal stock,	

\$37,617 91	\$1,953 18
Add uncollected for 1830,	356 00
Anticipated receipts from members,	150 00
	<hr/>
	2,459 18

The expenses will probably be \$2000.

All of which is respectfully submitted,

GEORGE PETERSON, Treasurer.

Philadelphia, 1st mo. 3d, 1831.

At a stated meeting of "The Philadelphia Society for the Establishment and Support of Charity Schools," held at the School-house in Walnut street, January 4th, 1831, the following named persons were elected officers of the Society for the ensuing year, viz:

President—PHILIP GARRETT.

Vice-President—PAUL BECK, JR.

Treasurer—GEORGE PETERSON.

Secretary—EDWIN WALTER.

Managers—Philip Garrett, John Claxton, John G. Simons, William Abbott, Samuel Sellers, Samuel J. Robins, James Cresson, Richard Oakford, Pearson Serril, John H. Cresson, Cornelius Stevenson, Timothy Abbott, George Peterson, James Mott, John B. Ellison, Thomas Graham, William B. Davidson, Hartt Grandom.

Electing Committee—Richard George, Joseph Cresson, Frederick V. Krug, Adam Seckel, Stevenson Smith, Joseph Warner, Joseph M. Truman, Adam Dialogue, John U. Fraley, John Kenworthy, Mahlon Gillingham, Frederick Fraley.

MIFFLINTOWN.—Gen. Philip Benner, of Centre, Maj. Joel Bailey, of Dauphin, and Chauncey Frisby, Esq. of Bradford, commissioners appointed by the governor for the purpose, have fixed the seat of justice for the new county of Juniata at Mifflintown.

WYOMING BANK.—A number of shares of the stock of this institution, were sold, on Saturday last, (June 11,) at the rate of \$1 20 and \$1 23, for \$1 00 paid in.—*Wilkesbarre Democrat*.

*From the Presbyterian.*

HISTORY OF

# THE PRESBYTERY OF PHILADELPHIA,

NO. II.

*From its origin, A. D. 1706, to A. D. 1831.*

The first churches established under Presbyterian organization in this country, were located in Delaware, Maryland, Pennsylvania, and West Jersey. The reason of this fact is to be found in the free toleration of religious peculiarities, granted by the original proprietors of these provinces. The following may be considered as an agreeable specimen of the temper which characterized the laws of these provinces on the subject of religion. It is an enactment in relation to Pennsylvania, and is in these words; "That all persons living in this Province, who confess and acknowledge one almighty and eternal God to be the creator, upholder, and ruler of the world, and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall in no ways be molested or prejudiced for their religious persuasion or practice, in matters of faith and worship, nor shall they be compelled at any time to frequent or maintain any religious worship, place, or ministry whatever."

The mildness of this provision is strongly contrasted with an ordinance passed in Virginia (which was principally settled by Episcopalians) by which every person was required to "go to church on Sundays and Holy days, or lye neck and heels that night and be a slave to the Colony the following week." (Stith's History.) The recognition of religious liberty, by the governments of the provinces before enumerated, must have been peculiarly attractive to those who had recently experienced the horrors of intolerance, and strongly inclined them to select these provinces for their permanent residence. In tracing the history of the first societies which were established for religious worship by these emigrants, in a new country, and at a period so remote, there is, as might have been expected, much difficulty in ascertaining the precise dates of their organization, and the exact circumstances under which they were founded. In the more ancient churches, with one or two exceptions, Sessional Records were not kept, or have perished in the lapse of time; and the deficiency, occasioned by this circumstance, cannot be supplied, by a resort to the records of Presbytery, which, in addition to chasms produced by the loss of minutes, seldom furnish a full and intelligible history of events. Few of the earliest churches, which were subsequently under control of Presbytery, were strictly Presbyterian in their origin. In most instances the sparseness of population, or the poverty of the people, induced persons of different persuasions to unite their strength and congregate without any reference to particular organization; and as they were singly unable to support the ministry to which they were respectively attached, their worship was conducted either by lay readers, or itinerant clergymen, on their occasional visits. Their organization and formal union with any ecclesiastical denomination, were subsequent measures. Philadelphia claims the honor of receiving into her bosom the first regularly constituted Presbyterian Church in the United States. This claim has been subject to some suspicion, but no direct proof has yet been adduced to invalidate it. In the year 1693, certain persons of the Presbyterian, Congregational and Baptist persuasions united for the purpose of religious worship, and occupied a large frame warehouse which had been erected by the "Barbadoes Trading Company," and was situated on the North West corner of Chesnut and Second streets. The clergymen who officiated for them from the commencement, was the Rev. John Watts of the Baptist denomination. Soon after the Presbyterians and Congregationalists finding themselves sufficiently numerous, invited the services of the Rev. Jedediah Andrews, a graduate of Harvard College, who accepted

the appointment. This circumstance soon engendered strife between the Presbyterians and Baptists which issued in the expulsion of the latter from the house of worship. Morgan Edwards in his history of the Baptists, attributes blame to the Presbyterians in this proceeding, and perhaps with justice. In a letter attributed to Mr. Andrews about this date, he says, "though we have got the Anabaptists out of the house, yet our continuance there is uncertain, wherefore we must think of building, notwithstanding our poverty and the smallness of our number." Accordingly in the year 1704, the congregation procured a lot on the south side of Market street, between Second and Third streets and erected a wooden building, which was the first and for many years the only Presbyterian church in the city. This church was for many years familiarly distinguished as the 'Old Buttonwood' from trees of that name growing near it.

When the number of ministers who harmonized in their views of doctrine and government, had sufficiently increased, they constituted themselves into a Presbytery, for the purpose of mutual counsel in the government of the church, and the diffusion of the gospel. This event, as it appears from the old records, took place in the year 1706; and the number of ministers constituting the Presbytery, at the period of its organization, amounted in all only to seven. It was entitled the Presbytery of Philadelphia, and may be considered the nucleus of Presbyterianism in this country—the first judicatory of that church which is now so widely extended. As it may interest the curious, we will insert entire the minutes of the first sessions of this original judicatory. These are written in a hand more resemble Greek than English, and were not decyphered without difficulty. The abruptness of the commencement arises from the unfortunate loss of the first leaf of the records, which probably contained some particulars of the formation of this Presbytery.

*"de regimine Ecclesiae, which being heard was approved of and sustained. He gave in also his Thesis to be considered of against next sederunt."*

*Sederunt 2d, 10bris. 27.*

Post process sederunt, Mr. Francis McKemie, Moderator, Messrs. Jedediah Andrews, and John Hampton, ministers.

Mr. John Boyd performed the other parts of his trials, viz: preached a popular sermon on John i. 12—defended his Thesis; gave satisfaction as to his skill in the languages, and answered to extemporary questions; all which were approved of and sustained.

Appointed his ordination to be on ye next Lord's day, ye 29th inst. which was accordingly performed in the public meeting house of this place, before a numerous assembly; and the next day he had ye certificate of his ordination at a meeting of the Presbytery held at Philadelphia, March 22d, 1707.

Post process sederunt, Messrs. John Wilson, Jedediah Andrews, Nathaniel Taylor, George McNish, ministers. Joseph Yard, William Smith, John Gardener, James Stoddard, elders.

Master John Wilson, by plurality of votes was chosen Moderator; Mr. George McNish was chosen Clerk to the Presbytery.

This day a letter sent by Mr. Samuel Davies to the Presbytery, was presented to them; it being moved by one of the members that the letters might be read, it was accordingly read considered, and Mr. Davies his reasons for excusing his absence from this and the preceding meeting of the Presbytery; were not sustained by the Presbytery.

Ordered that the next dyet of the Presbytery be held upon Tuesday at four o'clock in the afternoon.

Mr. Francis McKemie and Mr. John Wilson are appointed to preach upon Tuesday upon ye subjects appointed them at the last Presbytery from Heb. i. 1, 2 v. by way of the exercise and addition.\*

\*The following minutes show that the rule of Pres-

Martii 25. Post preces sederunt, John Wilson, &c. This day Mr. Francis McKemie and Mr. John Wilson delivered their discourses according to appointment and were approved by the Presbytery.

Ordered that a letter be writ and sent to Mr. Samuel Davies in the name of the Presbytery by Master John Wilson, requiring him to be present at our next meeting in this place.

Appointed that the letters sent from the people of Snow Hill in Somerset, be read before the Presbytery.

The letters were accordingly read and their contents were duly considered by the Presbytery. And whereas the aforesaid people do by their representatives and letters earnestly addressed the Presbytery for their joyn't concurrence and assistance in prosecuting their call to Mr. John Hampton that he may undertake the work of the ministry among them, as their settled and proper minister and pastor.

Ordered by the Presbytery that the call be sent to Mr. Hampton by the aforesaid people and also the other paper containing their subscriptions for his encouragement to undertake the work of the ministry among them, be given to Mr. Hampton to peruse and consider, which accordingly were given him.

Ordered, that whereas Mr. Hampton after his receiving the call to him from the people at Snow Hill, gave several satisfactory reasons, why he could not at this time comply with it, that the said Mr. Hampton, have the call and the paper of subscription retained in his hands for his further perusal, till the next Presbytery.

Ordered further in this affair, that a letter be sent in the name of the Presbytery to the people of Snow Hill to encourage their endeavours for a settled minister among them and that Mr. Nathaniel Taylor write the letter expressing the mind of the Presbytery which was accordingly done.

Appointed that the Presbytery meet——at ten o'clock, and that Mr. Andrews and Mr. John Boyd prepare some overtures to be considered by the Presbytery, for propagating religion in the respective congregations.

Martii 26. Post preces sederunt, the moderator &c. Ordered by the Presbytery that Mr. Francis McKemie write to Scotland to Mr. Alexander Coldin minister of Oxnam of the Presby of —— and to give an account of the state and circumstances of the dissenting Presbyterian interest among the people in and about Lewistown and to signify the earnest desire of that people for the said Mr. Coldin's coming over to be their minister; and that Mr. McKemie make report of his diligence herein against the next Presbytery.

The Presbytery appoints Mr. John Wilson to write to the Presbytery of —— to the effect aforesaid and make report of his case herein against the next Presbytery.

Overtures proposed to the Presbytery and agreed upon for propagating the interest of religion.

First, that every minister in their respective congregations read and comment upon a chapter of the Bible every Lord's day as discretion and circumstances of time, place, &c. will admit.

Second over: That it be recommended to every minister of the Presbytery to set on foot and encourage private christian societies.

Third over: That every minister of the Presbytery supply neighbouring desolate places where a minister is wanting and opportunity of doing good offers.

bytery in relation to this exercise was not neglected with impunity. "1713 Mr. George McNish not having his Presbyterial exercise ready, and excusing himself on account of sickness for a month past, was blamed for not preparing of it sooner, and ordered to prepare and deliver the same, the next Presbytery.

Robert Wortherspon for a similar deficiency was "admonished by the Moderator to be more careful for time coming."

The Presbytery do appoint Mr. Jedediah Andrews and Mr. Nathaniel Taylor, to prepare a Presbyterial sermon each of them to be delivered against the next Presbytery. Mr. Andrews to discourse from Heb. 1 chap. 3v. the first, and Mr. Taylor from latter part of the verse.

Appointed that the Presbytery meet upon the first Tuesday of Aprile, 1708, at Philadelphia; and this meeting was concluded.

May the 18th, at a meeting of Presbytery at Philadelphia, 1708, post preces sederunt, ministers, Messrs. Samuel Davies, John Wilson, Jedediah Andrews, Nath. Taylor, John Hampton, John Boyd. Elders, Joseph Yard, —— Bell, John Gray.

Mr. Samuel Davies was chosen moderator.

Ordered by the Presbytery that Mr. Jedediah Andrews deliver his Presbyterial exercise to-morrow at ten of the clock in the meeting house, and that Mr. Nath. Taylor deliver his on Friday next at ten of the clock in the morning.

This day were read before the Presbytery a letter sent by the people of, and about Whiteclay creek, in New Castle county, importing their desire and petition to the Presbytery to have the ordinances of the Gospel administered with more convenience and nearness to the place of their abode for the greater advantage and ease to their several families, promising withall due encouragement to the minister that shall be appointed thus to supply them.

Ordered by the Presbytery that this letter be read at the next session to-morrow afternoon and that another letter from some persons about Apquinim be considered against the next dyet of the Presbytery at the time aforesaid.

This day was also read a letter from several persons in the town of New Castle wherein they crave that the people of Whiteclay creek may not be suffered to set up a meeting house in the country, that their meeting house and congregation in New Castle may not be damaged by this rupture of their fellow members of Whiteclay.

Ordered that this letter be considered at the next session of the Presbytery.

## PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, June 30.

SELECT COUNCIL.—A communication from the young men, relative to the Ringing of the Old State House BELL, on the Fourth of July was received.

Mr. Fox, as chairman of the committee on Logan Square, reported, an ordinance which was passed by the Select Council, but was laid on the table in the Common Council.

COMMON COUNCIL.—The following communication was received from Mr. Benjamin Chew, Jr. and referred to the committee appointed on the 24th of February last.

A warrant has been granted for a piece of marsh, between the Eastern line of the city property, west of Schuylkill, and north of the Permanent bridge, and between the marsh belonging to the city and the marsh recently taken up by M. Freytag.

A survey has been made and returned under the said warrant, and a patent issued thereon. The patentee understands that this marsh is claimed by the city, although obtained by him after strict investigation and advice of council—but he is far from desiring to give the city any trouble if it has title to the lot in question and if the city will exhibit a sufficient title to his counsel, he will immediately relinquish the lot, and if the city will meet him on these terms, his counsel will explain the Brief of Title on which he founds the opinion that the said lot was vacant when the warrant was obtained.

It is proposed therefore that the city solicitor be directed to ascertain whether the city has title to the lot of marsh land between the acknowledged city property



and low water mark, or such line as wharves may lawfully be extended to, on the west of Schuylkill and north of the bridge at Market street, which lot has lately been patented to B. Chew, Jr. and to make report thereon to Councils, referring to papers and documents.

The following communication was received from the Mayor with the accompanying petition, which were referred to the committee on the revised ordinances.

*Mayor's Office, }*

Philadelphia, June 30th, 1831. }

*To the Presidents of the Select and Common Councils.*

Gentlemen:—A communication from a highly respectable portion of our citizens, has been handed me for transmission to you, manifesting much anxiety in reference to the number of dogs at large in the city, and the means authorised and employed to remove them. A number of colored men, the best that can be procured for the purpose, have been actively employed since an early period in May. If a more suitable class of persons can be had, for the compensation allowed them by law, I have not been able to obtain them.

Should it be deemed proper by Councils to make further provision in the case, I cannot omit to suggest that the permission to muzzle dogs, is inadequate to the object of the law, and that the effectual removal of dogs from the city, is not likely to occur unless the co-operation of the authorities of the adjoining districts of the Liberties, Penn Township and Southwark, obtained. I am, very respectfully yours,

B. W. RICHARDS.

*To the Select and Common Councils of the city of Philadelphia.*

The memorial of the undersigned citizens respectfully sheweth:

That they noticed with deep concern the great number of dogs running at large at this season of the year, when canine madness is most prevalent, and when a recent occurrence in a neighboring city has increased our alarm and apprehension for the safety of ourselves and families.

We feel that we are every day exposed either in person or friends to the agonies of the most dreaded and dreadful disorder to which human nature is subject in consequences of our continual exposure to a race of animals peculiarly subject to its attack; and what renders the evil more aggravating is the notorious fact that most of these creatures are not only entirely useless but are absolutely nuisances to the citizens.

Your memorialists therefore respectfully suggest to your honorable bodies as the constituted guardians of the welfare of the city, that the provisions of the existing ordinance are inadequate to the ends contemplated by our fellow citizens for the prevention of dogs running at large, and therefore pray that the same may be repealed, and in place thereof that provision be made which shall authorize any citizen to destroy any animal of this species which may be found at large in the streets of the city of Philadelphia, during the months of May, June, July, August and September, and upon oath or affirmation being made before the Mayor, or any Alderman by any of his having destroyed any dogs, the applicant shall be entitled to a reward of two dollars.

Your memorialists believe that short of this mode an effectual stop cannot be put to the great mischiefs of which they complain and the evils which they dread. It has been found to be the only availing remedy in the city of New York, where dogs are seldom or ever seen abroad during the period which forbids their exposure in the streets of that city.

Mr. Johnson as Chairman of the Paving Committee, reported an ordinance for making a culvert in Schuylkill Seventh street, which was passed.

Mr. Johnson also offered an ordinance relative to fixing the curb stones in Walnut street between Ninth and Tenth streets, which was passed.

Mr. Wetherill as Chairman of the Committee on the revised ordinances, reported an ordinance relative to

wood, cordage and wharfage, which was ordered to be printed.

Mr. Israel offered the following resolution, which was agreed to.

Resolved, That the Committee of Arrangement of the young men of the city and county of Philadelphia, have the privilege of ringing, on the Fourth of July ensuing, the OLD STATE HOUSE BELL for such period of time as they may deem necessary.—*Phil. Gaz.*

WILKESBARRE, June 15, 1831.

LIME.—We understand a stratum or vein of stone has been discovered in Newport township, which is supposed to be the real blue lime stone. The discovery was made by a citizen of Columbia county, who has had much experience in burning lime in that county. We learn that he put a small quantity of the stone in a lime kiln near Bloomsburg, and when burnt, it proved to be lime of a better quality than that of which the kiln was composed. So certain is the person who made the discovery, that it is lime of good quality, that he has erected a lime kiln, and intends immediately to burn a quantity of the stone. We expect he soon will be able to determine whether he has found a new treasure in the bowels of the mountains of this county, or not. If his opinion be correct, no doubt the quantity of lime in this county is very great. We understand the same stratum of stone, from which he is quarrying, has already been traced five or six miles. The vein runs through Newport and Hanover, and is from 6 to 8 feet thick.—*Democrat.*

June 22d.—We mentioned last week, that a stone, supposed to be lime, had recently been discovered in this County. A stranger has since called on us, who says he has been engaged for some time in quarrying the stone, and preparing a kiln. He has burnt, he informs us, a quantity of the stone, which has yielded about 800 bushels of lime. While the lime is undergoing the process of slacking, he says about 3 pints of an inferior substance will separate from a bushel of the lime. The lime, he says, is of a good quality, though not white.

The person being an entire stranger to us, we are not prepared to speak positively of the result of his experiment. Should it prove, as he has represented, the discovery will be of incalculable value to Wyoming Valley.—*Id.*

## LAW CASE.

*From the United States Gazette.*

COMMONWEALTH

VS.

JOHN V. AYER.

} Mayor's Court, city of Philadelphia,  
June Session, 1831.

This novel and interesting case was tried on Tuesday last, 28th. The investigation of the testimony, and the arguments of counsel, occupied the attention of the court, and of a crowded auditory, until nearly 11 o'clock at night. After a highly impartial and eloquent charge from the Recorder, it was submitted to the jury, who, after a few minutes consultation, sealed their verdict of acquittal, which was read on Wednesday morning, and the defendant was forthwith discharged, on motion, to the obvious gratification of his "troops of friends."

The defendant was indicted for setting fire to his own house, or store, with a design to defraud the American Fire Insurance Company; and in two other counts, for setting fire to his own house, the same being contiguous to other dwelling-houses, to the great danger, terror, and affrightment of the citizens, &c.

The only witness, to sustain the charge, was a lad about 17 years old, who deposed that he had been in defendant's store in Market street, above Ninth street, as clerk, for three weeks prior to the fire, which occur-

red on the evening of Saturday, the 19th April last; that he had not known the defendant before; that several days before the fire, the defendant told him he must not be surprised if they should be *smoked out* some day; told him if he wanted any small articles out of the store he might have them; and when the witness, after taking some, asked for certain other articles he said, "they had better burn—it would look better." On the evening of the fire, about 8 o'clock, after shutting the windows, witness was leaving the store with an umbrella, when defendant told him "to leave it in the store, it would look better that it should burn." He gave witness his cane, and told him to wait outside; one candle was then lighting in the store. In about five minutes the defendant came out, locked the front door, gave witness the keys, and they walked together to S. W. corner of Market and Ninth streets, when witness turned round, and said, "there is a fire or a light in the store." The defendant said, "let us run;" and they accordingly ran down Lodge alley to Seventh and Chestnut streets, where witness lived. After washing himself, defendant engaged in conversation with the family, and some minutes afterwards, the fact of the fire in defendant's store was announced by witness's brother. They then ran up to the store, from which many of the goods had been already taken, and many consumed or injured. Defendant fainted next door during the fire.

On his cross-examination, he admitted that he had taken several articles, linen, silks, hose, beltribbons, gloves, &c. from the store; but said he had received permission to take all the articles of *any consequence*; that he had buried some of them after the fire; had concealed some in his trunk; and the ribbons (taken without leave) in the lining of his vest, and had given others to his brother for safe keeping. He alleged, that until the moment when the defendant gave him his cane, he had *no suspicion* that the store was to be burnt; although he had heard the declarations of defendant, and had, in consequence, taken away various articles which he thought it a pity should be burnt. He cut off several yards from *both ends* of a piece of green silk on the day of the fire; but alleged that although defendant did not authorise him to do so, he subsequently gave him leave to *keep* them. On Sunday he became alarmed, and mentioned the circumstances to his father and brother, and on Monday to the officers of the Insurance Company. Defendant's business was regularly conducted; he had a good stock of goods, and no removals of any amount, had been made before the fire; he had no notes immediately pressing upon him, and his credit appeared good. The goods removed were, he supposed, sold in the usual course of business.

On the part of the defendant, several witnesses stated narratives made by the lad to them, which differed materially from his present account, in which he admitted that he had taken the green silk without permission, but solicited the witness not to divulge that, or another fact, connected with the articles taken, which had also come to light. He denied all participation by defendant in the fire, and could not then account for its occurrence. This was previous to the prosecution.

In addition to the objections urged by the defendant's counsel to the witness, that he was an avowed accomplice; that he was deeply interested to screen himself from liability for the property of his employer thus clandestinely removed, and that his story was incredible, unconnected, and contradictory, the defendant gave evidence to show the absence of all apparent *motive* for the commission of the offence, by proof that he actually possessed goods enough to justify the effecting a policy for \$3000; that he continued to keep up his stock *to time of the fire*; paid various bills very shortly before, and refused to sell certain goods below his price on the very day of the fire; which, it was contended, he would not have done, had he meditated a fraud. His innocence was rendered the more clear, by the fact of his remaining in the city, and exhibiting himself to the prosecutor.

and others, after the reports had been propagated by the former, and after he had been *fully warned* of the designs against him. In addition, letters from gentlemen of the highest respectability near Boston, and elsewhere corroborated by numerous witnesses, (some of them from New York and Boston,) were adduced, in proof of his unblemished moral character and credit up to the period of the fire.

In his charge to the jury, the Recorder limited their inquiry to the single question, whether the testimony of the only witness for the commonwealth, was to be credited under all the circumstances of the case. If they should think it insufficient, the prosecution, he said, must fail. If otherwise, then the charge was sufficiently laid in the indictment, to justify a conviction upon it; and the objections taken to it by the defendant's counsel, might be reconsidered after verdict.

Counsel for the commonwealth, A. H. Richards, Esq. For the defendant, Wm. H. Italy, and D. P. Brown, Esqs.

From the Connecticut Observer.

### RELICT OF WYOMING.

Died at Torrington on the 9th of May last, Mrs. ESTHER SKINNER, in the 100th year of her age.

If the following extract from the sermon preached on the occasion of her funeral can find a place in the Observer, it will gratify her surviving friends and acquaintance:—

Mrs. Skinner was born at Bolton, in this State, February 26, 1732. In travelling back to the commencement of her existence, we find ourselves carried through almost half the period of New England's history—the landing of the pilgrims being but little more than a century antecedent to her birth. To hold converse with her while living, was calculated to call vividly to mind events of former generations, of great religious and political interest to our country. She was of sufficient age to notice and remember the great revival of religion which overspread New England in 1740 and 41, and to have a personal share in the alarms and distresses and perpetual anxiety of the protracted French and Indian wars that harassed these colonies.

There are some incidents of her past life of so remarkable a character, as to deserve particular notice on this occasion. These are connected with the war of the revolution. Our national independence with its attendant blessings, which the present generation are enjoying in quiet repose, was purchased by our fathers, at the expense of great sacrifices and severe struggles. The amount of contribution which our departed friend thus paid for the benefit of posterity, was no less than a brother, who died of a wound received in the early part of the war—a husband who fell a victim to one of those contagious diseases which war propagates—and two sons who were butchered at the famous slaughter and conflagration which took place at Wyoming, besides her whole property plundered and destroyed.

The name of Wyoming, associated with events of thrilling interest to the bosom of every American, will long be remembered by the friends of the deceased. It was a Connecticut colony on the East branch of the Susquehanna in Pennsylvania, comprising eight townships. To this place our friend with her husband and eight children, had removed in the year 1777—just in time to be overwhelmed in the catastrophe which befel this settlement the following year. A coalition of Tories and savages, who seemed on this occasion to vie with each other in deeds of cruelty, had sworn vengeance on these unhappy settlers. Their commander is represented to have been "the most ferocious being ever

produced by human nature, often too prodigal of similar monsters," and the cruelties he practised on this occasion, "without an example in the history of inhuman men." The whole of this fertile and thriving settlement, he speedily converted into a field of slaughter and devastation. Every victory, as the fortifications of the place fell successively into his hands, was signalized by selecting the men among his prisoners for more conspicuous slaughter, and burning alive the women and children in the conflagration of their houses and villages.—When asked by the commander of a fort what terms of capitulation would be granted on condition of their surrender, his reply was, *The hatchet.*

Such was the character of the foe that fell upon the settlement where the deceased with her family resided. It was in the month of July, 1778. Remote from all military succours which government could afford, they had no other means of defence than what their own population could furnish, already drained of much of its sinew and strength to replenish the continental army. Their remaining force, comprising every man capable of bearing arms among them, was mustered for their defence. The main body of this little army, consisting of about four hundred men, among whom were the two eldest sons of Mrs. Skinner, just emerging from youth to manhood, were allured from their entrenchments by the artifice and perfidy of the enemy, and drawn into ambush. A desperate conflict ensued, in which the firmness of the Americans had well nigh repulsed their enemies; when a false cry of *retreat*, from either a treacherous or cowardly soldier, was the means of breaking their ranks and exposing them to all the fury of an exasperated foe. A scene of carnage and horror followed which beggars description. "The fugitives fall by missiles, the resisting by clubs and tomahawks. The dead and dying are heaped together promiscuously. Happy those who expire the soonest! The savages reserve the living for tortures! and the infuriated, if other arms fail them, mangle the prisoners with their nails! Never was rout so deplorable; never was massacre accompanied with so many horrors." About twenty only of these four hundred are said to have escaped alive. Our departed friend who had buried her husband but a short time before, saw her sons no more.

A particular incident of this scene of distress may serve to give us a nearer view of the picture. A young man who afterwards married a daughter of the deceased was among the survivors. Driven to the brink of the river, he plunged into the water for safety, and swam to a small island. Here immersed in water, protected by the bushes at the water's edge, and screened by the darkness of night, he happily eluded the search of the pursuing foe, thirsting for blood; while about twenty of his companions, who had retreated likewise to the same spot, were all massacred within a few yards of him. He heard the dismal strokes of the tomahawk and the groans of the sufferers, expecting every moment himself to become the next victim. One savage foot trod upon the very bush to which he clung. A solitary individual besides himself was left at the departure of the savages, to weep with him over the mangled bodies of their friends.

In the mean time the news of this day's disaster was conveyed in the night to the village where the women and children were left; who were warned at the same time that their only possible escape from the fury of the advancing savages, was immediate flight. The confusion and distress into which these bereaved and unprotected females were

thrown by this intelligence, can be more easily conceived than expressed; "lying," as they are represented, "without money, clothes, or food."—Mrs. Skinner with her six surviving children, the youngest five years old was in this company. Her son: who is now among the mourners, can well recollect that he came off without hat, shoes, or jacket; such was the haste and confusion of their departure. The little children of our departed friend, as they hastened to the water side, where boats were prepared for their conveyance down the river, were ready to cry with the anguish of their bruised and lacerated feet: but the chidings of the wary mother, and the dread of being heard by the suspected savage in ambush, repressed their weeping, and made them tread with breathless silence their painful way. O when will the inhabitants of the earth learn war no more!

With what feelings she must have left this place—her little property plundered, her dwelling laid in ashes, her husband in his grave, and her two sons lying mangled and unburied on the field of battle, can be more easily conceived than described. To the land of her nativity her thoughts and her course were now bent,—a formidable journey, we should think for a feeble mother with six tender children to make on foot, without money, clothes, or provisions. Much of her way lay through Dutch settlements, to whom she could neither tell the story of her sufferings, nor make known her present necessities, except by signs. Fame, however, which went before her, had already related her tale of woe, and secured for her many kindnesses from this people of a strange language. After a journey of one hundred miles by water, and near three hundred by land, she arrived in safety at the place of her former residence, whence she removed some years after to this place. All her children she outlived by many years, except the son with whom she resided; whom providence appears to have spared, for the grateful service of sustaining and comforting her in her decrepitude.

The character of Mrs. Skinner is deserving of particular notice on this occasion, as affording an example worthy of imitation. To great natural equanimity of temper, was added an uniform spirit of piety and devotedness to God. Her natural temperament imparted a cheerful and amiable cast to her piety, which rendered both her religion and her society particularly inviting. Uniformly placid under all circumstances, she appeared to have learned practically the lesson of the apostle—in whatsoever situation she was therewith to be content. The relation that she would sometimes give when solicited, of the scenes of suffering through which she passed, never betrayed a repining or complaining spirit. The mercies of God and the kindness of her fellow men, were the most prominent events of her narration. "The Dutch people," she used to say, "were very kind to her, though she could not understand their language." Their refusing in some instances to admit her into their houses in her suffering flight, she would incidentally notice without the least apparent resentment. "They had nice barns," she said, "with clean straw, where her children lodged very comfortably." Under the infirmities of age, she was equally an example of patience. Though decrepid and helpless for many years before her death, she appeared not to live in vain; for she was a bright illustration, as long as she remained with us, of the excellence and the consolatory power of the religion of Christ. Such a serene old age, I can truly say, without any intended disparagement to others,



I never witnessed. The path of her declining life appeared to be eminently that of the just, which like the shining light, shineth more and more unto the perfect day. And though with her to live was Christ, to die she esteemed gain. To the inquiry put to her a few hours before her death, if she would like to recover, she replied after a short pause, "I think not—if it is the Lord's will, I had rather go now."

From the United States Gazette.

## THOUGHTS ON EMIGRATION

FROM EUROPE TO THE UNITED STATES—NO. I.

The flow of emigration to the U. States will, no doubt, be of considerable magnitude during the present year. The disturbed situation of England and Ireland—the wars in Poland—the troubles on the continent of Europe, and other circumstances combined, will force thousands of the unfortunate victims of despotism and distress, to seek an asylum in this country; where liberty in the pure and unrestrained channel of republican virtue, dwells; where lands are abundant and cheap; where taxes are light; where the soil is good, and the variety of climate sufficient to compensate the husbandman for his labor. The throng of emigration during the last 10 or 12 years, has been directed principally to the state of New York, and to the states west of Pennsylvania; because the great Erie canal, passing through the state of New York, and the noble rivers of the Ohio, Mississippi, and Missouri, giving facilities in the west to convey the productions of their industry and labour, expeditiously and profitably to two important markets, New Orleans and New York, have produced decided advantages over the other states.—These are the reasons why the state of New York and some of the western states have acquired a population, during the last few years, infinitely greater than the states deprived of these advantages. But Pennsylvania no longer remains in the back ground—the stumbling block which so long stood in her way is removed! She can now boast of improvements, in her roads and canals, as splendid and extensive as those of any state in the Union! She can boast of a canal and railroad between Pittsburg and Philadelphia, which in another year, will unite the eastern and western extremities of her great commonwealth and their intermediate districts, in one bond of mutual intercourse and prosperity. She can boast of a canal from Philadelphia to Reading and Pottsville, on the Schuylkill; to Middletown and Harrisburg, on the Susquehanna; to Wilkesbarre on the north branch of the Susquehanna, and to Williamsport on the west branch of the same river. She can boast of a canal on the Delaware, from Bristol to Easton; and on the Lehigh from Easton to Mauch Chunk. She can boast of a variety of railroads, now progressing, from the commercial metropolis, diverging from the north to the south, and from the east to the west, connecting almost every county in her own state, in one link of improvement, leading to the lakes in the north, and the rivers in the west! And these improvements will soon place her on the summit of prosperity!!!

Pennsylvania, since the 1st of April, 1826, (only five years) has appropriated public funds to the amount of \$13,000,000; and by private subscriptions (including the works now conducting) as much more has been appropriated within a very few years, forming together, the magnificent sum of \$26,000,000, applied exclusively to the construction of railroads and canals, passing through an extent of territory equal to *twelve hundred miles*, more than half of which is now entirely completed, and the remainder is in a very progressive state!!!

Do not these valuable works offer encouragement and inducement to the emigrant who is in search of a permanent home, to stop and settle among us? Pennsylvania has 12,000,000 acres of good arable land, well timbered,

in the neighborhood of canals and railroads, for sale at from two to eight dollars per acre, with unexceptionable titles, in fee simple. Schuylkill, Northumberland, Susquehanna, Luzerne, Bradford, Lycoming, Clearfield, Centre, Huntingdon, Cambria, Westmoreland, Indiana, Armstrong, Butler, Allegheny, Crawford, Erie, Beaver, Jefferson and Venango, are the counties in which these lands are situated; though there are other counties, no doubt, in which lands equally good and cheap may be purchased. The owners of many of these lands reside in Philadelphia. They may be found without difficulty, and will on application, be ready and willing to give every information respecting them that may be required by those wishing to purchase. All I ask or require in my present remarks is that the stranger who is seeking for a settlement in this country, may give himself time to pause and reflect, before he suffers himself to be led away by the siren tales of a western paradise, and before it is too late, to ascertain for himself where he can be best accommodated. If he makes a careful examination, I have no hesitation in believing his choice will be, not in the garden of the west, but in the forests and fields of Pennsylvania.

CIVIL.

## No. II.

Twelve years ago, when the flood of emigration rushed on to the west, without control, New York did not know the value of the canal she was then making. De Witt Clinton and a few other patriotic individuals, had to contend against a strong current of opposition, which did not effectually subside until that period when the works began to manifest themselves, and in five years more the great Erie canal was completed. The tolls are now infinitely more than the interest on its cost; and as they are regularly increasing, must, in a very few years, *extinguish the whole debt incurred in its construction!* When that great object shall be accomplished, this stupendous monument of public wisdom will be a source of perpetual revenue to the state, from which still greater improvements will be made. The population of New York has increased since the commencement of her canal system, (fifteen years ago) more than 750,000 souls! Would the increase have been so rapid, but for her improvements? I answer—no! Has Pennsylvania an equal chance of paying off her debt, and adding to her population in the same degree by means of her improvements? There is no doubt of it! The improvement of a country by giving the greatest facilities of access to all its parts, cannot fail to impress upon the emigrant, a proper estimate of their benefits, and upon the landholder, an assurance of the settlement of his lands, by industrious and respectable people.

The geographical situation of Pennsylvania, places Philadelphia two hundred miles nearer the Ohio and Mississippi rivers by her canal to Pittsburg, than the commercial metropolis of New York is placed by her Erie canal, which gives a decided advantage to the former over the latter in their intercourse with the western states, and adds greatly to the importance of the Pennsylvania canal.

When we consider the amount paid in Philadelphia on land carriage to Pittsburg, without bringing into view the transportation back, what may we not suppose the amount will be on the rail-road and canal, to, from, and intermediately, in a very short time after the whole line is completed? When we bring into view the other branches of improvement, enumerated in my last number, particularly those on the Susquehanna leading to

\* The cost of transportation by wagons, from Philadelphia to Pittsburg, including goods forwarded via New York and Baltimore, has for several years, been more than a million of dollars per annum;—and this, it will be observed, does not bring into view the cost of transportation to Philadelphia from the western states, and from the interior of Pennsylvania.

Wilkesbarre, and to Lycoming, and Clearfield and Centre counties, where bituminous and anthracite coal, and iron ore, in quantities not to be exhausted in a dozen centuries abound! When the transportation of flour, grain, ashes, salt, lumber, lime, and various other commodities, the products of Pennsylvania,—and the cotton, tobacco, hemp, pork and lead of the western states are added, is it not reasonable to suppose, the receipt of tolls in Pennsylvania will be far greater than in New York? There can be no doubt of it, notwithstanding the receipts in New York last year, *exceeded a million of dollars!* and the calculation predicated upon receipts as far as they have accrued this year, is still greater. What a grand prospect!—Ought it not to silence opposition to the cost of internal improvements every where?

When we take a fair view of the advantages to arise from these connecting links of improvement in Pennsylvania, and the abundance and cheapness of lands in more than twenty counties of the state, may we not cherish the hope that the emigrant from foreign countries, will be better satisfied to settle here, than to seek a home, where the sickly fogs of the Ohio, Mississippi, and Missouri abound;—where the noxious vapours of Alabama and Mobile, of Pensacola, New Orleans, Natchez and Louisville, and the countries they encircle, prevail in what are termed the sickly months, July, August, September and October;—is it not, I ask, probable, when we take these things into consideration, *that our population will soon greatly increase by settlements from abroad and at home?* I do not wish to make invidious comparisons, but to state plain and honest facts, for the consideration of the stranger, who may be in search of a settlement, in this free and happy country. Pennsylvania is blessed with a fine climate, minerals in abundance, a copious supply of pure water every where, and a population exceeding 1,350,000 industrious inhabitants. She is rising majestically in the eye of nations, as a state of the first order; and as her laws and institutions are admired, and in many instances imitated by the great family of civilized man, she will long hold a pre-eminent station in the religious, moral, and commercial world.

## CIVIL.

*Sales of Public Stocks in this city during the week ending 2d inst.*

\$3900	United States 4½ per cents, redeemable December, 1831,	at 100½	100
51 02	Penn'a five's redeemable in 1846, at 109½	100	100
50	Do do 1853, at 110	100	100
525	Do do 1854, at 110	100	100
5000	Do do 1856, 2 108½	100	100
	(With interest from 22d June),		
2000	Do do 1858, at 111	100	100
10 shrs.	Bank of the United States, at 131	100	100
21	Philadelphia Bank, at 115	100	100
15 "	Do do at 115½	100	100
10 "	Do do at 116	100	100
3	Farmers and Mechanics' Bank, at 69½	50	50
10	Mechanics' Bank, at 49½	35	35
10	Bank of the Northern Liberties, at 48	20	20
50	Philadelphia, Germantown, and Norristown Rail-road, at 7½	5	5
24 "	Do do do at 8	5	5
1	Falls of Schuylkill Bridge, at 100	100	100

*Furnished by SYLVANUS LEMMAN, Stock and Exchange Broker, No. 4½ south Third street.*

*Dividends for the last six months.*

United States Bank,.....	3½ per ct.
Cumberland Bank, Bridgeton, N.J.....	3
Trenton Bank,.....	4
Bank of North America,.....	2½
Bank of Pennsylvania,.....	3
Marine Insurance Company,.....	5
Life Insurance Company,.....	3
Permanent Bridge,.....	4

For the Register of Pennsylvania.

## THE ALCHEMIST.

No. XX.

"Whether my discoveries will be read by posterity or by my contemporaries is a matter that concerns *them* more than *me*. I may well be contented to wait *one* century for a reader, when God himself, during so many thousand years, has waited for an observer like myself." Kepler.

This seems to be the language of a man who however he might be pleased with the approbation of his age, would not have been satisfied with so fleeting a reward. His soul took a wider and more extensive flight; his eagle eye was fixed upon a brighter and a higher destiny; and the anticipation of living in the grateful recollections of men long after his form had mingled with the dust and been assimilated to its nature, buoyed him above the influence of present neglect and contemporaneous censure.

It is this longing after immortal honours which seems to distinguish the children of genius from the common herd of humanity. He who is conscious of possessing merits which entitle him to the admiration and gratitude of the future, is comparatively indifferent to *aura popularis* of his time. Amidst all the neglect of dullness or ignorance—amidst all the censures of the censorious & malevolent—he stands collected and confident—sensible that his drafts which are protested now, will one day be repaid with interest. When the drivelling time-server for whom the trumpet of applause had been sounded at its highest key, is forgotten, together with the cunning follies and silly stratagems to which he resorted to perpetuate the music, the man of true genius who lived unknown and unhonoured, shall revel in the glory of an universal fame.

The desire to live in after ages is sometimes unpropitious to success in the present life. The mind that is intent upon future glory and is sedulous in the prosecution of those great schemes which are necessary to secure it, riots by anticipation in the pleasure which it is calculated to inspire. It is heedless of the present throng—becomes careless of their sentiments and pursuits—and breaks the cord of sympathy which unites mankind in the bond of social brotherhood. Is it surprising that he who nourishes feelings adverse to present enjoyment and participates in few of the amusements of his contemporaries, should experience little of their love and esteem? Distance and obscurity so completely surrounded him as either to make him inaccessible, or to identify him with the mists which he has conjured. By allowing his imagination to wander and his heart to commune with spirits of a different age, he is unfitted for the appreciation of present approval and totally disqualified to relish any thing having actual existence. This is so frequently the temperament of men of genius that they are neglected by the age which would otherwise testify an admiration approaching to idolatry. I know it is a popular sentiment that slights cast upon him whose worth and genius are destined for perpetual acknowledgment, are owing to contemporary incapacity or malevolence; but while much may be ascribed to the influence of these, it cannot escape observation that the conduct of the individual himself may sharpen the edge



of malice and increase the dulness of a voluntary inability.

But whatever may be the consequences of these aspirations to the individual himself, they sometimes form the great lever by which the most astonishing operations of wisdom and power are brought into action. They constitute the secret spring of our most active and elevated movements. They annihilate difficulties or render us insensible to their existence by giving us fortitude to oppose and power to overthrow opposition. If then this principle of the heart of man be so indissolubly connected with noble achievements—if its tendency be to exalt—if superior blessings are produced through its instrumentality—we must, notwithstanding its absolute selfishness, regard it as one of those agents in the hands of Providence by which his noble purposes are accomplished or subserved.

Few men have arrived at eminence but through 'a sea of troubles,' deep, turbulent, and angry enough to overwhelm them. Let a gifted spirit start out from the common track in which his family and friends are accustomed to move—let him show the possession of more than ordinary powers and he is watched with invidious glances—with a jaundiced eye which invests every object with its own yellow. Among his family he meets with distrust—from his acquaintance he encounters the bitterness of envy—pretended friendship abandons him in jealousy, and he is left to mourn the *isolation* which his very superiority confers. In the zenith of his glory, when the sound of fame unnaturally suppressed, is bursting from a million voices, he still meets with the rancour of disappointed enmity, he still feels that he is scrutinised by censorious visions, that his path is slippery, and lies over trap-doors and along frightful precipices: Let the man who is intent upon distinction, take heed of the penalties which that distinction requires. Let him pause before he leaves the beaten track of life and adventures upon those dizzy heights from which while he can take a broader and more comprehensive survey of nature, a pebble may tumble him into the depths of the contiguous valley! Of all the men of this or any other age, there is no one who more fully elucidates or truly exemplifies these remarks than Napoleon Bonaparte. Born to no fortune, surrounded by no friends, he made his way over every accumulations of obstacles to the most exalted station of Europe; acknowledged as a conqueror, and admired as a most favoured child of genius. In this plentitude of power while adulation the most servile and fulsome was ministering its incense, the air was filled with poignards thirsting after blood or vengeance. After filling the world with the terror of his name and the greatness of his exploits, and subjugating the finest portions of Europe, at the instant when every heart beat high with the anticipation of victory, fortune hurled him from the pinnacle he had occupied, and consigned him, unfriended, to a remote island in perpetual exile. The numerous examples which life and history furnish of disappointed promise and blasted hope, are sufficient to deter a prudent man from setting sail upon the fickle sea of ambition.

But the price which the world has generally set upon fame, in respect to the difficulty of its acquisition, and

the misery attending its possession, presents sufficient discouragements. Behold the sickly, solitary student, in the lurid shade of his midnight lamp, whose flickering and expiring light is but too typical of its animated companion! Behold him care-worn and exhausted, turning the leaves of a ponderous folio to extract the treasures of its pages! Follow this devotee in his ardent career—witness the self-denial and austerity of his life—the heart-sickening toil to which he willingly subjects himself—the morbid sensibility of feeling which he nourishes—the calm delights and varied pleasures he foregoes—and tell me whether the fruition of all his hopes is a recompense for these? Tell me whether the presence of an unreal phantom, an airy nothing, whose unsubstantial form may forever elude his grasp, can compensate for the extinguishment of the ardours of animal nature, the social joys, and the serene pleasures of existence? The man who has really embarked upon the stream of science with a view to eminence, must pass unheeded the green banks and pleasing echoes on either side, and the charming prospects of verdant spots and pebbly shallows with which the current is studded, for the great objects of discovery which induced the voyage. He must turn a deaf ear to the seductive strains which would allure him from his course, and steer his little bark amid the conflicts of the warring elements, and from the shoals, the whirlpools, and the rocks which solicit his approach or yawn for his destruction.

But let me pass the difficulties which the aspirant for intellectual honours must encounter in the chase—let me forget the malign glances of pretended friendship—the general predictions of ultimate miscarriage—the inroads of disease—and the probability that his life which hangs by so attenuated a thread, may be clipped by the relentless scissors of the Fates—let me forget all this—and suppose him the possessor of that desired spot,

"Where Fame's proud temple shines afar."

Has he attained a mansion whose tenure is indefeasible and whose glory will exclude the admission of pain or distress? Follow this ambitious votary and witness the difficulties he encounters in defending his possession from the assaults of the midnight marauder; see him perhaps ejected from his lofty seat, or while invested with its glare and effulgence, stripped of domestic happiness or suddenly precipitated into the grave! Where are now all his watchings and anxieties, the accumulations of his knowledge, the stores of his wisdom, the feverish restlessness with which he toiled after greatness and distinction? What boots his silent corse that his memory may live in the sympathies, the gratitude, the admiration or the love of future ages? In the whole circle of English literature I cannot point to a finer, a truer, and a more painful exhibition of the miseries attendant upon ambition than the tale of 'The Statesman,' by the elegant author of 'Sketches of the Diary of a Physician,' now circulating in our daily newspapers. The description is touchingly simple, and goes home at once to the mind and the heart.

It is inconsistent with the nature of our moral elements that fame should not be of difficult attainment—that

the path to the temple should be otherwise than circuitous and untoward. He who winds the intricacies of this path, who threads this labyrinth, finds him, alas, a prisoner for life! Is it not then the dictate of prudence to be indifferent to the hollow whispers of a world so vigilant for censure and so prone to fickleness? If we would listen to philosophy it will tell us to pursue science for her own sake, regardless of the success or the applause of the multitude. She is attractive enough to induce a lively devotion to her cause; and if after employing a life in her investigation, uninfluenced by hope or fear, the voice of approbation should be heard, it may be listened to with that tempered gratification which shows that a pruriency after fame did not excite the exertion. If however neglect or displacency should appear, it is enough that we have not sighed for a precarious reward—it is enough that our pursuits have imparted sufficient elevation of character and sufficient self-respect to view as an empty bubble that which would put to the torture a less philosophical temperament. While therefore the votary of fame is driven to the dilemma either of trimming between opposite errors or of renouncing his hard-earned reputation; the man who cultivates truth and knowledge for their own sakes, stands independent of the popular hurricane, can oppose himself to its unreasonable phrenzy, or can give to it a salutary direction.

H.

From the Friend.

## PLYMOUTH MEETING.

FRIEND SMITH:

In the notices publishing in "The Friend," of the first settlement of Friends' meetings, I observe the writer appears conscious of possessing but an imperfect knowledge of the first settlement of Plymouth meeting,\* and having access to a record which will no doubt be deemed authentic on the subject, I thought I would furnish thee with a copy of it.

The following minute was made at the first opening of Gwynedd monthly meeting, on the 22d of 12th mo., 1714-15.

"There was read in this meeting a short account of the first settlement of this place, and of the rise and progress of truth, until the establishment of this meeting, which account this meeting orders to be entered in the beginning of this meeting book; likewise, when Plymouth Friends bring in their account of the like nature, this meeting may do as they see convenient, and make a minute thereof."

'At the next monthly meeting, which was held 29th of 1st mo., 1715, the following minute was made, viz.

"Plymouth Friends having brought to this meeting an account of the first settlement of that township, and some hints of the progress of truth among them to the establishment of this meeting, the which was read, and ordered to be affixed in the beginning of this book as Gwynedd Friends' account was brought in last meeting."

The account thus sanctioned and recorded is as follows:

"About the year 1685, the township of Plymouth was originally purchased and settled by James Fox, Richard Gove, Francis Rawle, John Chelson, and some other Friends that came from Plymouth, in Old England, who dwelt here for some space of time, and kept meetings for worship at the house of the said James Fox, but, being most of them tradesmen and citizens, and not used to country life, removed to Philadelphia, by which means the place became vacant for a time;

but being again purchased, chiefly by Friends, viz. David Meredith, Edmond Cartledge, Thomas Owen, Isaac Price, Ellis Pugh, Hugh Jones, and divers others, as several adjacent settlers, in Whitmarsh, viz. John Roads, Abraham Dawes, and David Williams, and several more Friends. These, in the year 1703, by the approbation of Haverford monthly meeting, unto which they then joined themselves, kept their meetings for worship at the house aforesaid, being then in the possession of Hugh Jones, where it continued for some years, and then, by consent, was removed to John Cartledge's house, where it also continued for some years. But settlements increasing, and young people coming up, it was agreed to build a meeting house for the better accommodation of Friends belonging thereto, as also the conveniency of a public place of worship, near the burying place which was prefixed some time before, in Plymouth aforesaid, and several deceased Friends being there interred before the meeting house was built. And in the year——, the meeting house was erected, and on the thirteenth day of the—— month the first meeting was kept therein. And our number increasing, and not having the conveniency of a monthly meeting among ourselves, we joined with Gwynedd Friends to apply to Haverford monthly meeting, for their approbation to hold a monthly meeting, of business, the which, together with the consent of the quarterly meeting at Philadelphia, was obtained."

The blanks above, respecting dates, (I regret to say,) are in the original, and I know not how to account for it, especially as they have stated the day of the month, when the first meeting was held in the meeting house, though not the month.

*Extracts from the ancient minutes, of Gwynedd monthly meeting, relative to the establishment of certain meetings subordinate thereto.*

Minute of 25th of 5th mo., 1721.

"John Rumford produced a certificate from Haverford monthly meeting, and George Boone one from Abington, in order to join themselves to this meeting, both which were read and received. The said Friends also requested the concurrence of this meeting, to fix a convenient place for a burial, and liberty to build a meeting house thereon, to accommodate the few Friends residing in these parts. It is agreed to propose the same to the next quarterly meeting for their concurrence."

The quarterly meeting concurred therewith, and directed the monthly meeting to take necessary care to have the meeting house built in a proper place. The meeting thus commenced was called "Oley," and I suppose it to be that now known as Exeter, or at least that Exeter monthly meeting has grown from this beginning."

25th of 12th mo., 1723, I find the following minute.

"This meeting being concerned that care be taken in keeping true accounts of births and burials, a book being provided for that purpose, Hugh Fulke and John Jones are appointed for Gwynedd meeting, John Rees for Plymouth, George Boone for Oley, Andres Cramer for Perquimien; none from the Swamp being present."

Minutes of 29th day of 4th mo., 1725.

"George Boone proposed on behalf of Oley Friends, for a preparative meeting, which, after some discourse, was referred to next meeting.

"A proposal from the Swamp Friends for a preparative meeting has been considered awhile, and is granted, leaving the appointment of the time to themselves, acquainting the next meeting thereof."

Minutes of 27th of 5th mo., 1725.

"The proposal of Oley Friends for a preparative meeting is granted: the time to be appointed by themselves, and account given at next meeting.

"The Swamp Friends report they have agreed to keep their preparative meeting the fifth day next pre-

ceding our monthly meeting, which is agreed to by this meeting."

Oley Friends reported soon after that they concluded to hold their preparative meeting the 6th day preceding monthly meeting, which was approved.

Minute of 29th of 11th mo., 1733.

"Friends at Maiden Creek proposed for liberty to build a meeting house, which is agreed to be proposed to the quarterly meeting for advice."

Minute of 28th of 8th mo., 1735.

"Our Friends at Maiden Creek proposed for liberty to hold a preparative meeting, which is granted, and that it be held the next 4th day preceding this monthly meeting."

29th of 1st mo., 1737.

"The Friends of Oley and Maiden Creek signify an inclination to have a monthly meeting amongst them. It is referred for further consideration."

26th of 2nd mo., 1737.

"The proposal of Oley Friends for a monthly meeting was renewed, considered and debated a considerable time, and the result of this meeting is, that it be carried to the quarterly meeting for advice and instruction."

31st of 3d mo., 1737.

"The proposal of Oley Friends for a monthly meeting was carried to the quarterly meeting, which was granted, but not yet having got the minute, Samuel Morris is desired to obtain it by next meeting."

28th of 4th mo., 1737.

"The quarterly meeting minute respecting the establishment of the monthly meeting at Oley was obtained, and brought to this meeting; but no Friends from thence being present, the affair is referred till then."

26th of 5th mo., 1737.

"This meeting unanimously agrees that the monthly meeting for Oley and Maiden Creek be called 'Oley Monthly Meeting,' and held the last 5th day in every month." J. S.

CHAMBERSBURG, July 5.

A FRESHET.—On Thursday evening last, a rain fell, in the course of five or six hours, in this neighborhood, which raised the Conococheague and Falling Spring, that pass through our borough, to a frightful and destructive extent. About the middle of the night, the latter stream overflowed its bed, and the water formed currents through the tanneries and gardens situated along it, carrying off the contents of the yards, garden fences, &c.; and inundating the cellars and lower stories of a number of houses. Females and children were carried out of houses which were so inundated as a precautionary measure; and there can be no doubt that some of the tenements would have been swept away, with their inhabitants, had it not been for the flat grounds on each side of the stream. It was truly an awful scene to our citizens, and especially to those who were suddenly aroused from their beds amid the tolling of bells and the roar of the waters. We are happy to state that no lives have been lost.

On Friday morning hides of leather were seen lodged against the trees, &c., and the whole course of the spring stream presented a scene of wreck and destruction. The principal sufferers are Mr. Alexander Fleck, in the loss of hides, &c., from his tannery, and Mr. John V. Kelly, in damage done to his fulling and oil mills.—The paper mill dam, and all the foot bridges in our borough were swept away. The dam of Messrs. Berlin & Heyser, on the Conococheague above, and that of Mr. Overcash below the town, and the bridge over the Falling Spring on the turnpike at Mr. Stouffer's mill, are carried off. The loss to Messrs. B. & H. is peculiarly hard; as it is the second time their dam has given way this season. From the quantity of hay and lumber that have floated down, the damage above on both streams must have been great.

→ We learn that great damage has been done in

part of Guilford and Washington townships, by the rain on Thursday. In the latter township, several mill dams have been swept away.—*Franklin Repository*.

MAUCH CHUNK, July 4, 1831.

FRESHET.—The rains of Thursday and Friday last, produced on Friday night a tremendous freshet in the Mauch Chunk creek. It overflowed the banks, and the water made its way in every direction through the roads and streets into houses and cellars. Broadway was a complete cataract, filled the whole width with the flood. The scene was quite unique—the roaring of the water, hallooing of the people, dodging about in the darkness with lamps and lanterns, gave a good specimen of the ludicrous and alarming. We heard of one man, whose house was flooded, being awakened from his sleep by a cry of alarm from a neighbor, who, springing from his bed in affright, measured his length on the floor in about seven inches of water.

We have not heard of any serious damage, as yet.—The Lehigh is not at a great height, the showers which gave such a sudden impulse to the waters of the creek having been local. Broadway is impassable for carriages, the waters having literally rendered it a gully.—*Pioneer*.

LEWISTOWN, June 30, 1831.

For the last few days we have had heavy rains which have caused a considerable rise in the Juniata—six or eight arks were loaded at this town yesterday, destined for the Baltimore and Philadelphia markets. Much hay and grass will be destroyed by the rain.

YORK, June 7.

EMIGRANTS.—Between seventy and eighty emigrants, from the neighbourhood of Weissenberg, department of the Lower Rhine, in France, passed through this place on Saturday week. This part of France is inhabited by Germans. These emigrants are of the religious sect called Dunkers, signifying that their baptismal rites are performed by immersion. It is said, they are in gnd circumstances, so that it was not poverty that impelled them to leave their "Waterland," in search of happiness and home in this western hemisphere, but probably were induced by the present state of Europe, which portending war, to seek a retreat where they may escape either direct or indirect participation in scenes of blood and carnage, which are so incompatible with the pacific tenets of their sect. They have gone to Lancaster county, where they intend to settle among their family relatives and religious friends.

About twenty-five or thirty arrived here since, from the same department of France; but they are not of the same persuasion, and whether it is owing to this that they are not in the same comfortable circumstances, we will not undertake to decide. But so it is, while the Dunkers have money plenty, the others are poor and destitute. They are, however, in a country—if they brought no property, if they only brought with them the frugal and industrious habits of their "Waterland"—where the misfortunes of poverty can be repaired.

BEDFORD, June 17.

EMIGRATION.—During the present week, more than two hundred foreign emigrants, of all ages and sexes, from the sucking babe to the man of grey hairs, passed through this place on their way to the west. Though the greater part of them were stout, healthy looking fellows, yet they asked charity from almost every family in our borough. In one wagon we counted twenty-five men, women and children.

EASTON, June 30.

On Friday morning last, so heavy was the frost on the Pocono Mountain, that Mr. Sox, we are informed by a person who put up at his tavern, made a large ball of some he gathered before his door, and discharged it at the face of the stage driver to wake him up.

## PORT OF PHILADELPHIA.

Inward—For June, 1831.

Where from.	Ships	Barques	Brigs	Scho's.	Sloops	Tonnage.
England,	7		2			3056
Ireland,		1	1			632
Hanse Towns,			2			409
France,			1			246
Spain,			1			242
South America,			4			765
Cuba,			3	1		579
Hayti,				2		172
Brazils,				1		200
British W. Indies,			1	2		267
Danish West Indies,				2		228
Other Spa. W. Indies,				5		517
Brit. Amer. Colonies,			2	2		420
	7	1	17	12		8629

Inward Coastwise—62 vessels—Tonnage, 5895.

Outward—For June, 1831.

Where to.	Ships	Barques	Brigs	Scho's.	Sloops	Tonnage.
England,	4		4			2052
Africa,				1		100
Holland,			1			197
France,	1					378
Gibraltar,			1			181
South America,			5			796
Cuba,	1		3			895
Hayti,			2	2		232
Brazils,			1	1		110
British West Indies,			3	2		567
Danish West Indies,	2		3	2		649
Other Spa. W. Indies,				2		113
Brit. Amer. Colonies,			2	3		479
	8		25	13		7626

Outward Coastwise—104 vessels—Tonnage, 9343.

[Pennsylvania Inquirer.]

**DIVISION OF THE COUNTY.**—At a highly respectable and numerous meeting of the inhabitants of Bristol township, in the county of Philadelphia, held pursuant to public notice, at the house of John Felton, Esq., on Thursday the 23d of June, 1831—

JOHN DE PREFONTAINE, Esq. was called to the chair, and GEORGE F. M'CALLMONT, and WILLIAM JACKSON, were appointed secretaries.

The object of the meeting being stated from the chair, it was after due deliberation, on motion

*Resolved*, That this meeting go into an election for three Delegates to meet other Delegates that may be appointed by other townships, or districts, or parts adjacent, to meet in General Conference, at such time and place as may hereafter be agreed upon, to take into consideration the propriety of a division of the county—whereupon, Jacob Medary, Algernon S. Logan, and John L. Williams, were appointed said Delegates.

*Resolved*, That the Delegates herein named, be also appointed a Committee of Correspondence, to confer with the citizens of other townships and districts, giving them a cordial invitation to join in the proposed measure—to call meetings and choose Delegates.

*Resolved*, That the Delegates appointed have authority to fill any vacancy that may occur in their body.

*Resolved*, That the proceedings of this meeting, signed by the Chairman and Secretaries, be published in the Germantown Telegraph, and such papers in the city of

Philadelphia, as may be disposed to give them an insertion.

JOHN DE PREFONTAINE, *Chairman*.GEO. M'CALLMONT, }  
WILLIAM JACKSON. } *Secretaries*.

HUNTINGDON, June 15.

On last Saturday, hundreds of our citizens witnessed the launching of the "*James Clarke*," a new and very handsome Canal Boat, into the basin, at the west end of the borough; owned by Messrs. Williams and Miller.—When safely launched into the basin, she was greeted by the hearty acclamations of those who witnessed the pleasing and interesting sight. What! a canal boat launched in the vicinity of Huntingdon! Had any one predicted an event of this kind, some years back, he, in all probability, would have been 'cylept a wizard, or set down as *beside himself*. When the mail stage commenced running once a week, from Philadelphia to this place, our older citizens considered it a marvelous affair—what will they say now?

HUNTINGDON, June 22.

On Thursday last the citizens of this place were much delighted with an aquatic excursion down the canal, in the boat "*JAMES CLARKE*," owned by Messrs. *Williams and Miller*. About 10 o'clock in the morning, upwards of eighty ladies and gentlemen went on board of the boat, at the basin, accompanied by the "*Huntingdon Band*"—whose performance on various instruments of music, is not excelled for taste and talent between here and Philadelphia. The boat proceeded down the canal, to Clintonville, a distance of 13 miles, and returned at an early hour in the evening; without any accident or detention, to mar the pleasures of the day. Among those on board, we observed James Clark, Esq. and lady. The canal banks, at every lock and bridge, were crowded with anxious spectators, who evinced their delight at the approach of the boat, by hearty cheers and huzzas. The re-echo of the soul-stirring drum, shrill fife, melodious flute, &c., added double zest to the excursion. The sublime and romantic scenery, particularly at Drake's ferry, is not excelled in any part of Pennsylvania. The imagination cannot paint any thing so beautifully striking—old nature sits there, in fearful grandeur, unmolested by the hand of time, or art of man.

The time occupied in passing through the locks was from 1½ to 2, and in ascending from 5 to 8 minutes.—*Gaz.*

## THE REGISTER.

JULY 9, 1831.

We are glad to hear, from many respectable quarters, the high estimation in which the papers of "*The Alchemist*" are held, and that public sentiment justifies the encomiastic terms, with which we at first introduced him to notice. We have no doubt, that the reputation he has acquired will be fully sustained, by the good sense and literary merit of his future essays. The interruptions in his appearance having arisen from accidental causes, will be guarded against hereafter. His twentieth number will be found in to-days paper.

During the past week, an unusual quantity of rain has fallen in different directions—and we fear that much damage has been sustained, in the destruction of crops, and the removal of bridges, &c.

The Fourth of July, was celebrated in this city by military parades, public dinners, orations, speeches, &c.



## REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 3.

PHILADELPHIA, JULY 16, 1831.

NO. 185.

From the United States Gazette.

THOUGHTS ON EMIGRATION  
FROM EUROPE TO THE UNITED STATES.

## No. III.

THE emigrant in pursuit of a farm, though possessed of but slender means, in cash, to make the purchase, can obtain an accommodation on time, from the Pennsylvania land-holders, in annual instalments to suit his convenience, until the savings of his labour, may enable him to perfect his title. A farm of 200 acres, at \$4 per acre, would cost \$800; one-fourth of which in cash, being \$200, would entitle him to a credit on the balance, of three, four, and five years, which an industrious man, after encountering the difficulties of the two first years, could accomplish, without much difficulty.

It is a fact, as strange as it is true, that lands, in many parts of Pennsylvania,\* can now be purchased at prices as low as lands in their vicinity, or those adjoining them, of equal quality, were sold for 25 or 30 years ago; which, taking interest and taxes into consideration, ought to command three times the price they would have brought. How is this to be accounted for? The rage for lands in the west, and the absence of improvements in Pennsylvania, until within a year or two, shutting out the farmer from the chance of a profitable market, for the sale of his surplus produce, may be assigned as a principal cause, why a preference has been given to settlements in the neighbourhood of the Ohio, Mississippi, Missouri, and other navigable rivers in the west. In addition to which, the apathy and inactivity of the Pennsylvania land-holders, and their agents, to promote sales; and the large bodies of land held by a few wealthy individuals in Philadelphia, who would not incur the trouble and expense of dividing them, have also greatly contributed to discourage settlements.

A LAND OFFICE in PHILADELPHIA, for the purchase and sale of unseated lands, with a suitable agent to superintend it, would, I have no doubt, if properly supported and conducted, accelerate sales, and be productive of great benefit. There are several offices in Philadelphia, established for the purchase and sale of real estate, the proprietors of which, occasionally advertise lands in the interior, but there are none whose business is particularly directed to that object. I hope the subject will command the attention of those immediately interested.

The rage of emigration to the west must soon receive a check! It is only necessary to convince the emigrant of the many advantages we possess—to show him the improvements we have made—to explain to him the facilities he would enjoy, in going to and from market, with his produce; and to give him the opportunity of examining for himself, the situation and quality of our lands. If editors would promulgate information on this subject, more frequently and more freely, through the public press, it would also tend to promote this desirable object.

Every man disposed to become the proprietor of a tract of land, must be convinced, that in an agricultural point of view, the benefits of an easy and cheap access to market, placing the interior upon almost an equal

footing with the sea-board, is of the first importance. A barrel of flour can be carried from Lewistown, Wilkesbarre, Williamsport, Huntingdon, Johnstown, Blairsville, and Pittsburg, to Philadelphia, when the line of communication is finished (next year) at from seventy-five cents to a dollar per barrel, which has heretofore cost from two to three dollars! Ought not this fact, alone, tend to the appreciation of back lands, and induce settlements? The increase of trade, and the improvements making in Philadelphia and Pittsburg, and along the whole line of our canals and rail-roads, is an assurance of the prosperity of the commonwealth, and an evidence of the great value of our public works.

These observations, although particularly directed to the stranger, may be applied with equal force to the emigrant of the eastern section of our country, where the high price of land, and the hope of improving their condition, tempt many of them to emigrate, every year, to the west. Some, it is true, have stopped and settled in Pennsylvania, but the great bulk of them have proceeded on to Ohio, Alabama, Louisiana, and Illinois, more distant from market, and paying higher for their lands, than they could have bought them, of as good quality, in Pennsylvania. CIVIS.

Philadelphia, June 7th, 1831.

## No. IV.

It is but a century and a half since Pennsylvania was in a rude state of nature—uncultivated by civilization—uninhabited by social man! The aboriginal savages, prior to that time, were the sole proprietors of her soil.\* It cannot, therefore, be expected that we should, at this early period of our national existence, be as rich in capital as England or France, or some of the other countries in Europe, much older than ourselves; but it is a fact, that we are advancing in the acquisition of wealth, with greater rapidity than either of them! The most decisive mark of the prosperity of a country like ours, is the regular increase of its inhabitants; and as long as there is a sufficiency of productive soil, there is no danger of a scarcity of provisions, and the distresses consequent thereon; but when the number of inhabitants is greater than the soil is capable of furnishing with food, (as is now the case in Ireland,) a diminution of their numbers, by emigration to other countries, is not only desirable, but indispensable. The annals of the world do not show an increase of population so great as this country has experienced, since the declaration of her inde-

\* The grant of Charles the Second to William Penn, is dated March 4th, 1681, and in that year, as we are informed by R. Proud's History of Pennsylvania, two ships sailed from London, and one from Bristol, with passengers, bound for the river Delaware; they being the first settlers in Pennsylvania from England. It is a remarkable fact, that one of the stipulations in the deed of payment, between William Penn and his adventurers was, that in clearing the land, care should be taken to have one acre of trees left standing for every five acres cut down; and, especially, to reserve the mulberry and the oak, for silk and shipping; having an eye, at that early period of time, to ship-building and silk manufactures; both of which, it is now ascertained, are admirably adapted to the climate of Pennsylvania, and the genius of her people.

\* These observations are not intended to include coal lands, or lands in the neighbourhood of canals and rail-roads.

pendence, and we have plenty of room for a hundred millions more!

In 1776, the population of the United States did not exceed 2,500,000.

In 1790, when the first census was taken, the number was 3,930,000.

In 1820, when the fourth census was taken, it was 9,637,299.

In 1830, according to the last census, the population was 12,976,649.

The census of 1790, gave Pennsylvania a population of 434,373.

And the census of 1830, 1,372,812.

Therefore, the United States has gained, in the last forty years, 9,046,649.

And Pennsylvania, within the same period, has gained 938,449.

The increase has been acquired in two ways. One by the natural multiplication of the species, the other by importations from abroad. The natural increase is much the greatest, perhaps as five or six to one. The increase in New York and Ohio is still greater than in Pennsylvania.

In 1790, the state of New York contained only 340,120.

In 1830, according to the last census, its population was 1,934,376

The state of Ohio was admitted into the union in 1802, when its population was about 60,000.

In 1830, it was found to contain 937,679.

The surplus produce of the country constitutes the principal subsistence of the towns, and the increase of the trade and population of the towns, denotes the increase and prosperity of the country. The inhabitants of the towns and those of the country, are, therefore, mainly connected with, and serviceable to each other. The cities and towns afford a market, to which the people in the country resort, in order to enable them to exchange their produce for cash, merchandise, or other commodities, they may require for their comfort and convenience. It is this commerce which supplies the towns with the materials for business and work, and the requisite means for the support of human life; and the demand augments in proportion to the increase of population, and the extension of improvements and cultivation.

The encouragement afforded to the farmer, to settle in Pennsylvania, applies with equal force to the labourer, manufacturer, and mechanic, of every description. Without the aid of artificers, the cultivation of the land, and the improvement of the country, cannot take place. Smiths, carpenters, masons, wheelwrights, coopers, tanners, shoemakers, tailors, weavers and millers, are as useful in the country, and their services as essential, as they are in the towns. Every branch of trade will find liberal encouragement and protection in Pennsylvania, both in the towns and the country. No man need be idle, if he is able and willing to work. The number of buildings erecting in every direction; the vast operations on the roads and canals; and the daily activity of the workshops, give constant employment to every class of mechanics, from the common labourer to the master workman! There are not less than from twelve to fifteen hundred substantial brick dwellings and stores now building, and contracted to be built in Philadelphia, during the present year (1831), and from three to four hundred miles of rail-roads and canals, constructing throughout the commonwealth! What an extensive field for labour! What an encouraging prospect for the emigrant landing on our shores!

It must be obvious to every one, that the improvement of a country, by new and cheap facilities of conveyance, not only gives a more extensive market to every sort of industry, but accelerates the settlement of back lands, and appreciates their value. That this will be the case in Pennsylvania, to a very great extent, when our improvements are completed, I have no doubt. My object in writing these essays, is to promulgate that

truth, and let the world know, as far as I am capable of doing so, the improved condition and vast resources of this great and thriving republic.

CIVIS.

### METEOROLOGICAL REGISTER.

*Extract from the Meteorological Register, taken at the State Capitol—Harrisburg, Pennsylvania,*

BY WILLIAM MUSGRAVE, Librarian.

JUNE, 1831.

Days of Week.	Days of the Month.	Morning temperature.	Noon temperature.	Night temperature.	Mean temp. of day.	Highest in Month.	Highest at Noon.	Highest in Even.	Mean height of Barometer each day.	WINDS.
Thermometer.		Barometer.								
Wednesday	1	70.84	82.78	29.73	76.70	29.73				W
Thursday	2	70.85	82.79	70.70	65.68					S W
Friday	3	70.84	78.77	60.53	50.54					S W
Saturday	4	70.80	70.73	45.42	40.42					S W
Sunday	5	66.72	68.68	30.40	50.40					S W
Monday	6	54.74	68.65	60.64	68.64					N
Tuesday	7	58.78	72.69	70.68	66.68					E
Wednesday	8	59.77	76.70	69.70	70.69					E
Thursday	9	60.76	75.70	70.78	70.72					E
Friday	10	69.79	78.73	73.77	72.74					S
Saturday	11	71.82	80.77	70.68	60.66					S W
Sunday	12	68.83	80.77	60.55	50.55					S W
Monday	13	70.78	76.74	60.58	55.57					S E
Tuesday	14	71.72	68.70	60.60	60.60					E
Wednesday	15	65.75	72.70	65.68	65.66					E
Thursday	16	66.78	74.72	65.60	60.61					E
Friday	17	69.79	78.75	58.55	55.55					S W
Saturday	18	68.81	77.73	53.56	57.55					S W
Sunday	19	69.82	80.77	57.60	63.60					S W
Monday	20	70.82	77.76	70.64	62.65					S W
Tuesday	21	70.78	75.74	50.50	50.50					S W
Wednesday	22	68.76	76.73	60.63	63.62					W
Thursday	23	66.61	56.61	63.65	80.69					N E
Friday	24	49.65	59.57	85.88	85.86					N E
Saturday	25	49.68	68.61	80.72	80.77					N
Sunday	26	60.70	68.66	73.80	80.77					S W
Monday	27	66.69	70.68	78.70	60.69					S
Tuesday	28	70.74	75.73	55.50	50.51					S E
Wednesday	29	66.74	68.69	45.46	54.48					W
Thursday	30	66.74	71.70	58.62	67.62					W
Thermometer.		Barometer.								
Maximum 2d,	79°	Maximum 24th,	29.86							
Minimum 24th,	57°	Minimum 5th,	29.40							
Difference,	22°	Difference,	60.46							
Mean,	68°	Mean,	29.63							

Days of the month.	Winds.
6, 25	2 dys N
23, 24	2 N E
7, 8, 9, 14, 15, 16	6 E
28	1 S E
10, 27	2 S
2, 3, 4, 5, 11, 12, 13, 17, 18, 19, 21, 26	12 S W
1, 20, 22, 29, 30	5 W

### ATMOSPHERICAL CHANGES.

Days of the month.	A.M.	P.M.
1, 2, 3, 6, 7, 8, 9, 10, 15, 19, 24	12 days Clear,	Clear,
4, 27	2 " Cloudy,	steady rain,
5, 23	2 " " heav. rain,	Cloudy,
11, 17, 29	3 " Cloudy,	Clear,
12, 13, 18, 30	4 " Clear,	Showery,
14	1 " light rain,	Thun. gust
16, 26	2 " Cloudy,	light rain,
21	1 " light rain,	Clear,
22	1 " Clear,	Cloudy,
28	1 " light rain,	Cloudy,

On the 2d at noon, thermometer at 85° the highest. On the 24th in the morning, thermometer at 49° the lowest. Range in the month 36.

By the above, the 2d was the warmest day, and the 24th the coldest.

On the 24th at noon, barometer at 29.88 the highest. On the 5th in the morning, barom. at 29.42 the lowest. The winl has been 9 days east of the Meridian, 17 days west of it, 2 days north, and 2 days south.

There was rain on the 4th 5 12 13 14 16 18 21 23 26 27 28 30th, the heaviest were on the 4th 5 13 14 23 27 30th. Thunder gusts on the 14th and 30th.

There were 12 days of this month clear. 5 days part clear, part cloudy, and 13 days on which it rained.

By turning back to June 1830, we will find there were 14 days on which it rained, and but 10 days clear. So that of the two seasons, this so far, has been the most favourable; whether the depth of rain in both seasons, has been alike, I have had no method or instrument to know. The mean temperature of this month and of June 1830 is exactly alike, 68° each.

During a heavy shower that fell in the afternoon of the 30th, I observed, that from half the roof of the house I live in, which would make a square of 480 feet, a rain cask containing 130 gallons was filled in 15 minutes; from this we may form some conjecture of the quantity of water that falls.

*From the Presbyterian.*

HISTORY OF

## THE PRESBYTERY OF PHILADELPHIA,

*From its origin, A. D. 1706, to A. D. 1831.*

### NO. III.

At this early period, when the settlers were experiencing the privation and inconveniences necessarily resulting from a residence in a new country, the support of the gospel was to them a matter of serious difficulty. Although the ministers were few in number, they could scarcely subsist without foreign aid; and notwithstanding their stipend was exceedingly small, their want of punctuality in its payment, was not unfrequently a subject of complaint.\*

Sometime may be formed of the necessities of the times, from the circumstance that a private benefaction of £30 from the Rev. Thomas Reynolds, of London, was gratefully acknowledged as a truly seasonable supply. A committee of Presbytery who were appointed to select the most necessitous congregations, whose pastors should participate in this bounty divided the sum into three equal portions, and decided that the church in *Philadelphia*, and the church in *New Castle* were each entitled to a share.

The following letters written by the direction of Presbytery, to awaken the sympathies and solicit the aid of their transatlantic brethren, will afford the best view of the History of the Church at this period.

May 1709.

To Sir EDMUND HARRISON,

"Honourable Sir—The distressed condition of these provinces with respect to religion, in which the providence of God has cast our lot, has moved us to apply to the reverend ministers of Boston in New England, to join with us in addressing yourself and other charitable gentlemen in London, to consider the state of these countries and to implore your help and assistance for promoting the interest of our glorious Lord. To our

great satisfaction they have readily complied with our desire, and have drawn up and signed a letter particularly directed to yourself. And that we for our parts may not be wanting, being informed of that public excellent spirit in you, famed both for piety and prudence, do likewise address ourselves unto your honor, upon the same account. The negotiation begun and encouraged by a fund in the time when our worthy friend Mr. M'Kemie (now deceased) was with you, for evangelizing these colonies, was a business exceedingly acceptable to a multitude of people, and was likely to have been of great service if continued, which makes us much grieved, that so valuable a design, was so soon after its beginning laid aside.

"The necessity of carrying on the same affair being as great, if not greater now, than it was then, we hope that the patriots in London will revive so good and important a work, and not let it lie buried under the ashes, but that some suitable method be taken, that it may be set on foot again. Unto whom can we apply ourselves more fitly than unto our fathers who have been extolled in the Reformed Churches for their large bounty and benevolence in their necessities. We doubt not but if the sum of about two hundred pounds per annum were raised for the encouragement of ministers in these parts, it would enable ministers and people to erect eight congregations, and ourselves put in better circumstances than hitherto we have been. *We are, present, seven ministers*, most of whose outward affairs are so straitened as to crave relief, unto which, if two or three more were added, it would greatly strengthen our interest, which does miserably suffer as things at present are among us. Sir, if we shall be supplied with ministers from you, which we earnestly desire, with your benevolence to the value above said, you may be assured of our fidelity and christian care, in distributing it to the best ends and purposes we can; so as we hope we shall be able to give a just and fair account for every part of it, to yourself and others, by our letters to you. It's well known what advantages the missionaries from England have of us, from the settled fund of their Church,\* which not only liberally supports them here, but encourages too many insolencies, both against our persons and interests, which sorrowfully looking on we cannot but lament and crave your remedy. That our evangelical affairs may be the better managed, we have formed ourselves into a Presbytery annually to be convened at this city, (*Philadelphia*) at which times it is a sore distress and trouble unto us, that we are not able to comply with the desires of sundry places crying unto us for ministers to deal forth the word of life unto them; therefore, we most earnestly beseech you in the bowels of our Lord, to intercede with the ministers of London, and other well-affected gentlemen, to extend their charity and pity to us, to carry on so necessary and glorious a work; otherwise many people will remain in a perishing condition as to spiritual things. In so doing your humble supplicants shall ever pray, that the blessing of God's throne and footstool may be conferred upon you and them.

"P. S. The death of that worthy and honourable person, the Lord Lovelace, we are afraid will prove detrimental to our interest, and we could wish that his place were filled again with a person of such a spirit and temper as he appeared to be of.

We desire that what you shall please to transmit to us, as to letters or otherwise, may be directed unto Mr. Andrews, or, in his absence, to Mr. David Giffing and Mr. William Allen in Philadelphia,

"The Presbytery met at Philadelphia, to the Reverend Presbytery of Dublin, wisheth grace, mercy, peace, (the bond of fellowship and prosperity in the Gospel of the Lord Jesus.

\*As money in those early times was a scarce article, the clergy accepted the produce of the soil, as an equivalent for a pecuniary stipend. The following minutes of Presbytery in 1708, refers to this fact: "Ordered by the Presbytery, that there be a letter sent to the people of Snowhill, requiring their faithfulness and care in collecting the tobacco promised by subscription to Mr. Hampton.

"The society formed in London "for propagating the Gospel in foreign parts," was connected with the establishment, and commenced its operations in 1701.



September, 1710.

"Reverend and dear Brethren in the Lord,

"By a letter from the Rev. Mr. Alexander Sinclair, a member of your society, dated November, 1709, and directed to Mr. John Henry, one of our number, we find you desire a correspondence may be settled and continued from time to time; than the which nothing can be more acceptable to us poor, scattered and far dispersed labourers in our Lord's vineyard. As also you desire an account of our ecclesiastical affairs, and promise all the assistance yourselves can afford, or procure by interest from others, the former we are ready to give, and for the latter we are grateful.

"As to the state of the Church in these parts, our interest truly is very weak, and we cannot relate this matter without sorrow of heart, since it is too much owing to the neglect of ministers at home. Our late Rev. brother, Mr. Francis McKemie, prevailed with the ministers of London to undertake the support of two itinerants for the space of two years, and after that time, to send two more upon the same condition, allowing the former after that time to settle, which, if accomplished had proved of more than credible advantage to these parts, considering how far scattered most of the inhabitants be. But alas! they drew back their hand, and we have reason to lament their deficiency. Had our friends at home been equally watchful and diligent as the Episcopal Society at London, our interest in most foreign plantations, probably might have carried the balance. In all Virginia there is but one small congregation at Elizabeth River, and some few families favoring our way in Rappahannock and York. In Maryland only four; in Pennsylvania five; and in the Jerseys two; which bounds with some places of New York, make up all the bounds we have any members from, and at present some of these be vacant. Not long ago there was a probability of doing more good in Maryland, before Episcopacy was established by law; and at present there is in Pennsylvania, the East and West Jerseys, and some places in New York, if the occasion also be not slt.

"As for ecclesiastical affairs in other places we shall not here trouble you with, being not perfectly acquainted therewith ourselves. That then, reverend and dear brethren, which at present we would humbly, for the sake of Christ's interest, make the subject of our address unto you, is, that of your zealous, christian, and religious charity, to the mystical body of the blessed Jesus, you would raise one sixty pound to support an able, well approved of young man, from your Presbytery as an itinerant in these parts, among the dispersed children of God, for a year; after which time we doubt not but he may be settled comfortably. This we have used our interest in London for, in the hands of the Rev. Mr. Calamy, which we expect according to promise from the Rev. Mr. Sinclair; you will use yours also to forward, and in the mean time not to be wanting to answer our former request. Thus not making the least doubt but this our letter shall have the desired answer, we subscribe ourselves by our representatives your well wishers in the Lord."

A letter dated in the same year and of similar import was transmitted to the Synod of Glasgow.

We last week mentioned something which we thought remarkable in relation to the industry of the bee; the gentleman who then gave us information, called on us yesterday, and stated that the same swarm made during the seven days following the period before given, 17 pounds of honey.—*Columbia Spy*.

**Childbirth.**—A female in Mount Carbon, presented her husband last week, with three children, within a short period; one of which, however, subsequently died. The surviving pair, are "doing well," and our worthy obstetrical friend may be said to have declared a "handsome dividend."—*Miners' Journal*.

## EARLY SKETCHES.

The two following articles are from the "Columbia Magazine," of 1788, and gives an interesting description of Bald Eagle Valley, and the Juniata river, forty-three years ago. We should be glad to receive, from that quarter, a description of that same portion of country now—as it would be useful in showing the progress of improvement, and the development of resources, probably, not thought of by the writer at that period. Where are the "numerous lead mines" spoken of, and the "many signs of copper?" Or has *pyritous iron* been mistaken for copper—as is frequently the case at the present day, notwithstanding the advancement of knowledge. "Elegant engravings" accompany the descriptions.

## A DESCRIPTION OF BALD EAGLE VALLEY:

*Its natural curiosities, mines, springs, &c.*

Bald Eagle Valley, (on the frontiers of Bedford county, state of Pennsylvania,) or as it is commonly called, Sinking Spring Valley, is situated about 200 miles from Philadelphia. It is bounded on the east by a chain of high rugged mountains, called the Canoe Ridge, and on the west by another called the Bald Eagle, or Warrior Mountains, and forms a fine, pleasant vale of limestone bottom, extending about five miles in the widest part. This valley contained, in the year 1779, about sixty or seventy families, living in log houses, who formed within a space of seven or eight years, several valuable plantations, some of which are extremely agreeable on account of their situation; but possess, notwithstanding, very few inducements to an inhabitant of the more settled parts, to sojourn long among them, on account of the proximity of the Indians. So little provision is made, indeed, against the attacks of hostile tribes, that instead of forming societies, whereby defence might easily be obtained, the settlers dwell, in general, remote from each other, few plantations being within less than two or three miles distance of its nearest neighbour; so that when any disagreement takes place, the greater number are left exposed to the enemy before it is practicable to spread the alarm of their approach.

This place, during the contest with Britain, was made remarkable on account of the numerous lead mines said to be there; and as the want of that article daily increased, and supplies grew more and more uncertain, it was deemed of so much moment as to induce a company, under the promises of the state, to settle in the valley, with a view to establish a regular set of works. In pursuance of this scheme, a large fort of logs was erected, and some miners employed, by whom regular trials were made of such places as were thought the most promising, and a considerable quantity of ore was produced, from which, lead enough was made to give a competent idea of the real value of the mines in general. On account, however, of the danger of remaining in this situation, while an Indian war continued; added to this consideration, that the miners were all old countrymen, utterly unused to this mode of life, reasons were suggested for quitting the service, and the whole undertaking fell to the ground.

The lead ore from samples repeatedly produced, was of many kinds; some in broad shining flakes, and others of the steely texture. Several regular shafts were sunk to a considerable depth; one of which was in the hill, upon which the fort was erected, and from which many large masses of ore were procured; but because it did not form a regular vein, this was discontinued, and another opened, about one mile from the fort, nearer to Franks-town. Here the miners continued, until they finally relinquished the business. When they first began, they found in the upper surface, or vegetable earth, several hundred weight of cubic lead ore, clean and unmixed



without any substance whatever, which continued as a clue, leading them down through the different stratum of earth, marl, &c. until they came to the rock, which is here in general of limestone. The shaft first opened, was carried down about twenty feet; from which, a level was driven about twenty or thirty yards in length, towards the Bald Eagle mountains; but as strong signs of ore were observed behind the first shaft, it gave occasion to sink another, which fully answered every expectation; and when they had arrived to the depth of the first level, they began to drive it into the first shaft, intending as soon as they had formed that opening, and cleared it of ore, to begin a shaft lower down; the vein of ore showing itself strongly upon the bottom of the old level. This intention, however, was likewise deserted. Another place was begun on the road towards Huntingdon, about one hundred yards from the fort, upon the top of a small hill. The people of the valley had made the first attempt, but the excessive hardness of the stone obliged them to give over their undertaking. Upon clearing away the first rubbish, the vein was discovered overlaid with mundic of the greyish steel grained kind: and this work was continued, with much success, to the depth of twelve feet, until the fall of a heavy rain filled the springs so as to prevent all further discovery. A level was intended to be driven from the lowest part of the hill (having signs of ore) up to the shaft; but was, as the rest, given over for want of assistance.

A third place, on account of its most extraordinary and singular appearance, was also opened; but was soon quitted, as being too wet and swampy. This place, although all the valley (excepting a few of the like kind) is well timbered, is without a tree, or the signs of any ever being there. It produces a long grass, which soon turns yellow and perishes, exhibiting a strange contrast to the other parts surrounding it. The upper earth is composed of a fine mould, and so excessive black, as to create strong suspicion of ore being under it. It was attempted to the depth of about ten feet, when they came into a soft spongy wet earth, with loose masses of limestone; some nearly destroyed, and hardly bearing to be lifted out; others only a surrounding coat, as it were, which upon exposure to the air, fell off, and the stone remained clear and firm. The whole were more or less affected, and the moisture evidently increasing with the depth, induced those concerned in this assay to leave it. The surface of the earth in many places, is covered with what in England is called cawk, a white substance, heavy and something resembling the texture of china.

Copper ore has never made its appearance, or at least has not as yet been found. Iron, on the contrary, occupies whole tracts, of which the most remarkable is about three miles from the fort, nearer the town above-mentioned. Here the vegetative power of the soil seems to be overcome; for upon many of the surrounding hills, which evidently abound in iron ore, nothing is to be met with, except the same species of long grass already taken notice of. Upon this spot may be found every kind of iron ore yet produced; from a kind of an absolute iron texture and polished colour, to the bog kind. The surrounding hills abound with white flint, and from their abrupt forms, and thick covering of pine, have a most melancholy appearance.

Among other curiosities of this place, the swallows (which absorb several of the largest streams of the valley, and, after conveying them for several miles under ground, in a subterraneous course, then return them upon the surface) are not the most inconsiderable. These, and the number this place contains, have given rise to its general name. Among the most remarkable of them, that called the Arch Spring may be particularized, as it runs close upon the road from the town to the fort. It is a deep hollow, formed in the limestone rock; about thirty feet in width, with a rude arch of stone hanging over it, forming a passage for the water,

which it throws out with some degree of violence, and in such plenty as to form a fine stream, which at length buries itself again in the bowels of the earth. Some of these pits are near three hundred feet deep; the water at the bottom seems in rapid motion, and is apparently of a colour as deep as ink, though, in truth, it is as pure as the finest springs can produce. Many of these pits are placed along the course of this subterraneous river, which soon after takes an opportunity of an opening to a descent, and keeps along the surface among rocky hills for a few rods, then enters the mouth of a large cave, whose exterior aperture was sufficient to admit a shallop with her sails full spread. In the inside, it keeps from eighteen to twenty feet wide. The roof declines as you advance, and a ledge of loose rugged rocks keeps in tolerable order upon one side, affording means to scramble along. In the midst of this cave is much timber, bodies of trees, branches, &c. and are to be seen lodged quite up to the roof of this passage, which affords a proof of the water being swelled up to the very top, during the time of freshets, &c.: its mode of escaping being, perhaps, inadequate to the prodigious quantities which must sometimes fall from the mountains into this channel, swelling it up to the very surface, as several places over the side seemed to evince the escape of water at times, into the lower country. This opening in the hill continues about four hundred yards, when the cave widens, after you have got round a sudden turn, which prevents its being discovered till you are within it, to a spacious room, at the bottom of which is a vortex, the water that falls into it whirling round with amazing force; sticks, or even pieces of timber, are immediately absorbed, and carried out of sight, the water boiling up with excessive violence, which soon subsides until the experiment is renewed.

On the opposite side of the valley, a few hundred yards from the fort, and about half a quarter of a mile from the mountain, is a remarkable bog, composed of a black rotery mud, without any intermixture of stone whatever, although surrounded by amazing quantities. This place is about twenty-five or thirty yards over, and below its margin are large beds of iron ore, of a honeycomb texture; the solid parts of it, where fresh broken, are of a fine glossy brown, and contain much iron, as was experienced in the lead furnace, where they used the ore by way of an addition or flux, when it produced so much as to oblige them to pull down the front wall of the furnace to remove the iron out of the earth. It was so maleable as to bear the hammer. Early in spring, the spot upon which the bog stands is readily found; for, it produces a most luxurious plenty of a long sedge grass of a beautiful colour, and a considerable time before the effects of spring are visible in any other part of the valley: this seldom fails to attract the notice of the poor cattle, which are sure, however, to pay dear for their attempts to obtain a mouthful of its produce, as in less than an hour it totally swallows and covers them. Five cows were, at one time, nearly conveyed out of sight; of which, three were totally dead—the other two hardly recoverable.

From the top of the Bald Eagle is a fine prospect of the Allegheny mountains, stretching along until they seem to dissolve into the clouds. Much slate is found here, with strong signs of pit-coal. Of animals, deer, foxes, bears, wolves, raccoons and squirrels, are in abundance; and were it not for the danger from an Indian enemy, many other articles might undoubtedly be found, of service to mankind; but while they continue such near neighbours, it is not probable (particularly on a remembrance of the failure of the lead company) that any thing further will be attempted till peace and property are perfectly secured from depredations.

Upon the road towards the town, and nine miles from the fort, there is a narrow pass, through another chain Tusser mountains, which for about a mile in length is so confined, that it does not admit any carriage whatever, and even a horseman finds it adviseable to dis-

mount, rather than to trust his safety entirely upon the dexterity of his horse, in conveying him over these rude masses of rocks and stones. This pass, on account of a stream running through it, is called Water Street. The break in the mountain, on each side, is almost perpendicular, and seems loosely piled up with huge pieces, threatening destruction to the passenger below. A few miles from the town there is a set of sandy hills, high masses of which are in places left bare, and from the lowness of their nature, and the washing of the storms, have assumed different forms, some of which the country people have likened to pulpits, bowls, teapots, &c. In general, it is known by the name of the Pulpit Rocks. A person visiting these parts, must cross the Juniata three or four times from Standing Stone, or Huntingdon, to the fort; from which it is computed to be about twenty-one or twenty-two miles distance. B.

## A DESCRIPTION OF JUNIATA RIVER,

*In the State of Pennsylvania.*

Juniata is one of the branches of the Susquehanna, into which it empties its waters, about twenty miles above Middletown on the opposite side. It flows through an extensive and variegated country, abounding with wood, mountain, fine vales, chiefly of slate and limestone, and some remarkable precipices. In its course, it likewise receives a considerable number of creeks, to augment its waters, some of which are capable of great improvement in regard to their navigation, having few rifts to impede the attempt. Of these, Raystown branch seems to be of the most note, as for size it is nearly equal to the Juniata much lower down; however, in fact it is a continuation of that river, while that which is still continued by the name, insensibly loses its size a small way beyond Standing-stone, or Huntingdon town, branching out into small creeks and becoming quite inconspicuous. Raystown branch is remarkable for its crooked course, bending and turning among the hills and mountains in a sudden and uncommon manner; especially at that part called the horse-shoe, at which place, to cross by land, it is not more than three-fourths of a mile, while to keep the course of the stream, round the whole extent of the turn, will consume near a day's laborious march. Upon this stream there are many signs of copper and coal, and I have no doubt, but that in the mossy surrounding mountains, valuable discoveries might be made. Upon the head water of Juniata, plenty of lead ore has been found, and abundance of iron; but this, owing to its remote situation, has been neglected. After crossing at Miller's ferry, which lies a few miles from the mouth of the river, and keeping up at midway to Standing-stone, a threefold junction of the mountain is plainly to be perceived, being the Tuscarora, Shade, and Narrow mountains. Through them, at this place, commences what is known by the name of the Long Narrows, formed by one continued break through the above mentioned hills, and continues surrounded by astonishing crags, for upwards of eight or nine miles, during which space the traveller has nothing to walk on for either himself or horse, (which he is obliged to dismount for better security,) than the piled rocks and stones, that have, from time to time, accumulated by their fall from the surrounding parts. Bounded by these mountains on the one hand, and the river upon the other, no choice can remain, but absolute necessity forces such as have business into these remote districts to proceed, making a virtue of performing what it is not in their power to avoid.

After passing through this miserable place, immediately upon the other side stands the town or settlement called Old Town, consisting only of a tavern and a few scattered hovels, and containing nothing worth notice. Another similar pass is through Jack's mountains, still higher up the river, which is rather worse than the other, but of shorter extent; being formed of larger and ruder masses of rock than at the other pass, and the road

oftentimes running under the water, which, added to the difficulties in common here met with, renders it extremely dangerous. From a part of the Narrows the view was taken. At this place there are evident signs of a valuable mine of copper, and on the other side, before you reach the Narrows from below, at Drake's ferry, is an extensive mine of allum and coppers. B.

WILKESBARRE, June 29.

After having completed the Lettings, as it is termed, that is, making contracts for work on the canal, the commissioners, Messrs. Stevenson and Mitchell, on Thursday last, left this place for the West Branch.

We learn that the offers for doing work were numerous; and the effect of competition has been, that contracts are made at one half the estimates of the Engineer, and by very responsible companies or individuals. We are glad the cost will be more moderate than was expected; and we hope the work will be pushed with all possible energy to completion. The sooner the better for public and contractor. If all can be done in a year, why should contractors while away two years? Would it not be better to push on and finish; and then have a good name for enterprise and get another job. One point must not be lost sight of—the canal ought to be pushed on to the state line. All must put their shoulders to the wheel, that is indispensable to our coal trade; and the bringing the rich trade of the Genessee country to Philadelphia, should never be lost sight of.—*Herald*.

Lord Butler has been appointed Superintendent of the Wyoming line, North Branch Canal, in the place of James P. Bull, resigned.—*Id.*

WARREN, June 21.

Our village for the last ten days or more, has exhibited a scene never before witnessed by myself, nor indeed by any one with whom I have conversed. Nor could I have been made to believe it possible, to arouse the feelings of our citizens to that state of constant inquiry and apparent anxiety on the subject of religion, as was manifested during those days. In every part of the village business was either partially suspended, or wholly at a stand—stores were frequently all closed—public houses, shops, &c. were either closed or passed unobserved—people were seen in groups in every direction, all absorbed in the general inquiry. In short it appeared like a week of Sabbaths, or the day of an eclipse. To the writer of this it was like a mighty torrent sweeping all before it. Meetings, still continue. Let it result as it may, the appearance of our village is changed, for the better so far, no one denies, between neighbors—joined in mildness the hands of enemies, and given an example of charity, and kind feeling between families who for the first time learnt they were neighbors.—*Union*.

*Death from the bite of a snake.*—I feel it my duty to notice the case of Adam Lake, a man of intemperate habits, who was bold enough to examine some snakes which had been and I presume are still carried about the city as objects of curiosity. This man seeing the owner of the snakes handle them familiarly, wished to show to those around that he could handle them also,—he was permitted according to his account, to take from the cage a rattle snake, which he placed on his left arm and received a bite, merely fracturing the skin,—next day he was brought to the Almshouse, and died in two hours after. Thus in forty hours after he was bitten, he was a corpse. Will not this fact be a sufficient warning to those who feel disposed to see those animals, to keep at a proper distance, and to the owner not to suffer any person to come near or trouble the snakes?

RICHARD D. MOORE, M. D.

Almshouse, July 2, 1831.

## TEMPERANCE.

*"The Pennsylvania Society for discouraging the use of ardent spirits."*

To the inhabitants of the city and county of Philadelphia:

Fellow Citizens,—The success which has already attended the comparatively circumscribed labours of the society, in awakening public attention to the objects which it seeks to accomplish, is highly gratifying.

These results proclaim with an emphasis which cannot be resisted, the duty of employing all the means that can be commanded, for an enlarged and energetic effort in this great work.

Anxious inquiries are made from various quarters, for information calculated to promote the reform which has so happily begun, and the diffusion of knowledge in this respect, must yield the most distinguished benefits.

The parent society here, is naturally invoked as the source most competent to impart encouragement, and to give full effect to the dispositions which are manifested to co-operate with it, by the rapidly increasing number of the advocates of temperance throughout the commonwealth; but its funds are not such as to authorize the adoption of an efficient system of measures, which the actual state of the concern requires.

The field of operation must, therefore, be necessarily contracted, until ability be furnished for the expansion of its boundaries; and the chief purpose of this address is to solicit, with an earnestness which the magnitude of the design emboldens the society to adopt, an increase of pecuniary aid.

The treasury may be easily replenished, and not only the numerical strength, but the moral power of the society increased, if you, fellow citizens, who are so deeply interested in the success of its doings, and the accomplishment of its aims, were to enroll your names amongst its members and patrons.

The small annual contribution of even one dollar, the payment of which constitutes membership, if derived from only one thousand individuals, would produce an amount of good, through the instrumentality of the press, and oral illustration and admonition, which it were impossible to calculate; and the expenditure would not be missed by those who made it.

The melancholy fact cannot be too often, nor too loudly repeated, that nearly all the crime and pauperism which disfigure and annoy society, and much of the mental and bodily disease which afflicts mankind, owe their origin to intemperance. In a strictly economical point of view, therefore, if no higher motive could influence your minds, which is far from being alleged, the judicious application of an inconsiderable sum of money, for the prevention of the degrading habit of intoxication, in this populous district, would speedily diminish the enormous taxes now paid without much reflection or complaint, for the support of almshouses, and infirmaries, of criminal courts, and prisons.

With this brief exposition of its opinions, and its wants, the society submits its case, and the noble cause which it has espoused to your generous support which heretofore, from the earliest period of your history as a people has been uniformly prompt and energetic in sustaining every work of kindness, and public utility. On behalf of the Society.

ROBERTS VAUX, President.

Philadelphia, June 21, 1831.

☞ Those citizens who may feel disposed to become members of the society, or otherwise promote its objects by donations, will be pleased to furnish their names, or send their communications, to either of the following named gentlemen:

President—Roberts Vaux:

Vice Presidents.

Alexander Henry, Dr. Elijah Griffiths,  
Jacob Holgate, John Goodman.

Corresponding Secretary—Isaac S. Lloyd

Recording Secretary—David McClure.

Treasurer—J. C. Peeclin, pro. tem.

Managers.

Mathew Carey,  
Rev. M. M. Carll,  
James Gray,  
Dr. L. P. Gebhard,  
Rev. Wm. Brantly,  
Dr. John D. Thomas,  
Dr. Geo. H. Burgin,  
Matthew Newkirk,  
Rev. N. Dodge,  
Rev. John Chambers,  
John Clarke,  
Dr. C. D. Meigs,  
Thomas Watson,  
Samuel Hazard,  
Dr. M. Anderson,  
Wm. Janvier,  
Dr. George Clingle,  
J. C. Peeclin,

Dr. John Bell,  
Dr. D. F. Condie,  
Joseph S. Riley,  
Rev. George Boyd,  
John Weigand,  
Wm. Stavelly,  
Joseph Montgomery,  
Thomas Elmes,  
Abraham Hilyard,  
Rev. Wm. Ashton,  
Dr. Casper Shaeffer,  
Dr. Jos. Warrington,  
Thos. Vinton,  
Dr. C. F. Matlack,  
John Rorer,  
Charles Bird,  
John R. Dodge,  
Job R. Tyson.

The following deeply affecting reply to the inquiries of *"the Pennsylvania Society for discouraging the use of Ardent Spirits,"* made by the venerable Coroner of the city and county of Philadelphia, who has so long discharged the duties of that important office, with ability, and universal satisfaction, cannot fail to excite the serious consideration of our fellow citizens.

Philadelphia, July 3d, 1831.

TO ROBERTS VAUX, Esquire.

President of the Pennsylvania Society for Discouraging the use of Ardent Spirits.

RESPECTED FRIEND:—It is true, as you suggest, "that in the discharge of my official duties much opportunity is afforded for observation and inquiry into the causes which produce the premature termination of human life," and the experience of years long ago led me to the conclusion that "intemperance from the indulgence in the use of intoxicating liquors, is the fruitful parent of most of the evils thus produced."

In a very great proportion of the cases which have officially come under my notice, and in which I have had sufficient evidence to trace a cause, the use of spirituous liquors has mediately or more remotely led to the termination of life in such a way as to call for my investigation; and, it is highly probable, that many, of whose habits I have had no means of information, were hastened to their end by this scourge of our country.

I have no hesitation whatever in avowing it as my firm belief, that the use of intoxicating liquors is the prolific cause of a great proportion of the deaths which come under my view as Coroner, and now while writing these few lines, I am awaiting the examination by physicians, of the body of a citizen who has been killed by a man who was in a state of intoxication.

With desires for the success of the cause in which you are engaged, I am, dear sir,

Yours, very respectfully,  
JOHN DENNIS,

Coroner of the City and County of Philadelphia.

EASTON, June 9, 1831.

*Great Sport.*—On Saturday last, a company of our Easton epicures returned from their fishing excursion to the mountain streams, and brought back with them upwards of 2000 fine trout, salted down to keep. Some of them were upwards of 13 inches in length. They represent the sport as having been remarkably fine—and to taste in reality the hunter's life, they slept out in the woods one night. Those of the party who were blest with thin skins were very much annoyed by the mosquitoes, and brought home sensible marks of their kindness.



From the "Pennsylvania Chronicle" for 1768.

### LETTERS FROM JAMES LOGAN.

*Solution of the phenomenon of the horizontal moon, and of the crooked appearance of lightning.*

Part of a letter from the late James Logan, of Philadelphia, to the late Sir Hans Sloane. From an original MS. communicated by Peter Collinson, Esq.

"It may perhaps be needless to add any thing in confirmation of Dr. Wallis' solution of the sun and moon appearing so much larger at rising and setting, than in a greater altitude; though some have gone on very absurdly, and still go on to account for it from vapours; which I remember was given me in my youth for the true cause of it.

"It is true, indeed, that it is these vapours in the atmosphere alone, that makes these bodies, when very near to the horizon, appear in a spheriodical form, by refracting, and thereby raising (to sight) the lower limb more than the upper, yet these can be no cause of the other. Sun or moon, each subtending about half a degree, appear in the meridian of the breadth of eight or ten inches, to some eyes more and to others less, and in the horizon to be two or three feet, more or less, according to the extent of ground they are seen over.

"But if one has an opportunity, as I have here frequently had, of seeing the sun rise or set over a small eminence at the distance of a mile or two, with tall trees standing on it pretty close, as is usual in woods without underwood, his body will then appear to be ten or twelve feet in breadth, according to the distance and circumstances of the trees he is seen through; and where there has been some thin underwood, or a few sapplings, I have observed that the sun setting red has appeared through them like a large extensive flame, as if some house was on fire beyond them.

"Now the reason of this is obvious, viz. that being well acquainted with trees, the ideas of the space they take up are, in a manner, fixed, and as one of those trees subtends an angle at the eye perhaps not exceeding two or three seconds, and would scarce be distinguishable were it not for the strong light behind them, the sun's diameter of about thirty inches takes in several of them, and therefore will naturally be judged vastly larger. Hence it is evident, that those bodies appear greater or less, according to the objects interposed, or taken in by the eye on viewing them, and to this only is the phenomenon to be imputed.

J. LOGAN."

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*Part of a second letter from James Logan, to Sir Hans Sloane.*

"I observed the ingenious gentleman Stephen Hales, in his Vegetable Staticks, to mention that phenomenon of the streaks or darts in lightning, in thunder-storms appearing crooked and angular, (I do not remember his words) as a thing unaccounted for, and therefore guessed at a solution of it; but, if I mistake not, I some time since discovered the true one, which was thus—having a sash window glazed with bad, or wavy glass, and sitting about twelve feet distance from it, one of my people was carrying by that window, at some distance from it, a long lath on his shoulder, which, through that glass, appeared to my view exactly in the form that those streaks of lightening are seen, and as thunder is generally pictured in the hand of Jupiter. And any one with such wavy glass may very easily make the like experiment.

"Now it is evident, that the clouds are generally distinct collections of vapours like fleeces, and therefore, that the rays of light through them must pass through very different densities, and accordingly suffer very great refractions, as great at least as could be caused by one thin plate of glass, which, notwithstanding, will very fully produce the same phenomenon. From thence, therefore, undoubtedly that appearance must arise; for it is most highly absurd to imagine, that fire,

darted with such a rapidity, can from any assignable cause, deviate in fact from a right line in the manner it appears to us; and this, if duly considered, may probably be found a plenary solution.

J. LOGAN."

### PENNSYLVANIA SILK WORMS.

*Observations on the native silk worm of North America, by Moses Bartram, member of the American Society, held at Philadelphia, for promoting useful knowledge.*

READ BEFORE THE SOCIETY, MARCH 11, 1768.

I had for a long time, a desire to know, if some of the wild silk worms of North America could, with proper care, be propagated to advantage; accordingly, in March 1766, I made an excursion along the banks of Schuylkill, in search of some pods or cocoons, in which the worms spin themselves up and lie concealed all the winter, in the nymph state, preparing for a change in the spring, namely, from an aurelia to a fly.

I was so lucky as to find five cocoons that had live sound nymphæ in them. These five I placed in my garret opposite to a window, that fronted the sun rising. I did this that the warmth of the sun might forward their coming out.

May 10. One of the flies came out; but the window happening to be left open it made its escape.

May 13. One of my pods produced a large brown fly, beautifully spotted, next day two more of them produced, each a fly.

May 18. One of the flies, which came out of a large loose pod, began to lay eggs. On the 22d, the other two, which were males, grew very weak and feeble and unable to fly. Next day one of them died, and the day following the other died; the female fly all this time continuing to lay eggs; on the 24th at night she also died, having laid near three hundred eggs. May 31, My last pod produced a large female fly, of the brown kind like the rest. But there being no male I could expect no increase from it. June 3d, She began to lay eggs and continued some days. On the 8th she died, having laid upwards of two hundred eggs. These which my last fly laid looked at first large and full, but in a few days they began to shrivel and be indented in the middle, as did all the rest, however, I folded them all up in separate papers and laid them by, to see if any would hatch the spring following.

The male fly is less than the female, but his colours are brighter and more beautiful.

In the spring of the year 1767, I examined the eggs, and found them all dry, and not like to produce worms; from whence I concluded they had not been impregnated by the males. This was a disappointment to me.—But being still of opinion, that they might be propagated, I determined to make another trial with more caution and circumspection. Accordingly I set out in search of cocoons, and gathered several of them both from the swamps and upland. Those from the swamps I got chiefly off the alder; those from the upland, off the wild crab-tree; and the viburnum or black haw bushes.

These pods I placed as I had the others, before my garret window, where the sun might shine on them, as soon as it arose, and a great part of the forenoon.—When I expected the flies were near coming out, I tacked coarse cloths up against the windows on the inside, not only to darken the room, but also for the flies to settle on, and to prevent them, in attempting to make their escape, from beating their legs and wings to pieces against the glass, which I found to be the case last year, and which it is probable, prevented their copulating.

May 16. Three of my cocoons produced each a fine large fly of the brown kind, the same as those of last year. The two following days two more flies made their appearance, and one of the eldest began to lay eggs, which not being impregnated, dried up and yielded no increase.



May 19. One of the males that came out on the 16th copulated with the female that was produced on the 18th. They continued together about twenty-four hours; a common case with most of the insect tribe, which lay a great number of eggs at once. And something similar may be observed in some other animals.

May 22d. This female began to lay eggs which looked plump and fine. Though I had now several flies, yet this was the only one from which I had any increase.

June 2. The last of my flies died, all expiring regularly as they came out. The period of their existence is short, seldom exceeding nine or ten days, though some of the females lived to the age of fourteen or fifteen, as I found by one I had last year.

June 3. The eggs that were impregnated began to hatch and produce worms, to which I presented for food the leaves of our common mulberry; but they did not seem fond of them. I laid before them several other kinds of vegetables, and observed that they seemed best pleased with the alder.

June 4th, 5th and 6th. The eggs continued hatching and producing young worms.

June 9. Those first hatched left off feeding, shrunk up short and seemed motionless. I imagined they were sick and changed their food, trying almost every kind of vegetable, in hopes of finding something that would agree with them better; but all to no purpose. Having killed several in shifting them from one kind of food to another, while the rest continued in the same torpid state, notwithstanding all I could do, I thought all my hopes of raising them were frustrated and concluded they would perish.

June 9. I was agreeably surprized to see the little animals, that I had given over as dead, creeping out of their old skins, and appearing much larger and more beautiful than before. Finding themselves disengaged, in a little time, they turned about and fell to devouring their old coat, which seemed a delicious repast to them; after which they rested about twelve hours, and then began to feed on leaves as formerly with great eagerness.

June 15. The eldest worms again left off feeding, shrunk up very short, and appeared fixed on the leaves almost motionless. In this situation they continued until the 17th, on which day, after appearing to be very violently convulsed for near half an hour, they threw off another skin, which they eat as before, and then resting about twelve hours, fell to their usual food.

June 20. One of my worms, that had just disengaged itself from its old covering, whilst it yet remained weak, was destroyed by a kind of bug armed with a long bill, with which it pierced the side of the worm, and sucked out its vitals. This bug which, I fancy, I must have brought in with the leaves, I take to be a common enemy to the silk worm in its tender state. Its bill is so long, that it can stand at some distance from the worm, and with its weapon wound it, notwithstanding the bunches of hair or bristles, in form of a pencil, with which the worm is covered, and which are its principal defence.

June 28. My oldest worms left off feeding, shrunk up, and on the 25th, threw off their third covering, which they devoured, and, after resting the usual time, returned to feed as before.

July 2. They left off feeding the fourth time, and on the 5th parted with their fourth covering, after eating which, and resting as usual, they continued to feed on the leaves.

It is remarkable every change they undergo adds fresh beauty to the worms, and in every new dress, they appear with more gaudy colours and lively streaks.

July 22. Two of my oldest worms left off feeding and began to wander about in search of a proper place to spin. Thereupon I got sticks, in which I fixed a number of pegs for the greater convenience of the worms; though they can spin in any place, where they

have or can form an angle for their webs. After wandering about some time, they fixed at last and began to spin in a curious manner.

July 23. Two worms left off feeding; these I placed on the racks I had made, which I fixed in glass bottles to prevent the worms from getting off: for I found they were apt to ramble greatly before they could fix on a place to their liking, if they were not suffered to spin among the leaves they feed on; in which case they begin to spin soon after they leave off feeding. But I did not like to suffer this, as they seemed fond of drawing bits of twigs and leaves into their nests, which must obstruct the unwinding the silk. One of them spun on the rack, the other got to the window and spun in the angle of that.

July 24. Five left off feeding; and having wandered about all night began, early next morning, to spin. In like manner, the rest of my worms, as fast as they arrived at a state of maturity, daily applied themselves to spinning or wrapping themselves up in cocoons.

August 10. The last worm left off feeding, and like the rest wrapped itself up, in which state I expect they will all remain, until May next, when each of them, I hope, will produce a beautiful fly.

It seems strange there should be an interval of no less than nineteen days between the time the first and last worm began to spin, though they were all hatched within three or four days of each other, which was nearly the space of time the parent fly was laying the egg.—Whether this was owing to the weakness or strength of the vital principle in some, more than in others, or whether to the shifting their food, or to their being frightened, and thereby prevented from feeding, I cannot tell. Farther experiments may possibly explain the matter.

The method I took to raise these worms, with the least trouble to myself, as I live in town, and consequently had to bring food out of the country, was as follows: I filled several bottles with water; in these bottles I placed branches of such vegetables as the worms fed on. I placed the bottles so near each other, that when any of their food withered, the worms might crawl to what was fresh. By this means I kept their food fresh for near a week. I always kept the bottles full of water, whereby the worms were supplied with drink, which seems necessary for them. Without it they will not feed kindly. They commonly crawled down two or three times a day, drank heartily, and then returned to feeding. The leaves of the apple tree seemed as agreeable to the worms as any I tried; and they answered best as they kept fresh in the water longer than any other.

From sundry experiments, I found the worms averse to changing their food. On whatever they first begin to feed, they keep to it.

If any should incline to propagate these worms, I would propose the following method. Let long narrow troughs be made, with a number of notches along the edges. In the bottom of the troughs, on the inside, let pieces of straight wood be fixed, so that the branches, on which the worms are to feed, may lie in the notches, and their ends be fixed under the piece of wood at the bottom. This would keep them steady, and lying thus inclined, they would more freely imbibe the water for the refreshment of the leaves. The dung of the worms would fall clear of the troughs, and the water thereby be clean for drink. The troughs should be always kept full of water, and placed in a shade, secure from the violence of the wind, which might shake down the worms; but not too much confined, because a little air is agreeable to them. Through a hole in the bottom of the trough, the water might be let out every two or three days, and the troughs filled again with fresh water, which by this means would continue sweet and clean.

By this method, I am persuaded, they might be raised to advantage, and perhaps, in time become no con-

temptible branch of commerce. They appear to me much easier raised than the *Italian* or foreign silk worms. I did not lose one by sickness. They hatch so late in the spring that they are not subject to be hurt by the frost. Neither lightnings nor thunder disturb them, as they are said to do foreign worms. And as they lie so long in their chrysalis state, the cocoons may be unwinded at leisure hours in the ensuing winter.—One thing more in their favour is, that one of their cocoons will weigh more than four of the foreign worms; and, of consequence, it may be presumed, will yield a proportionable greater quantity of silk. These properties, not to mention their being natives, and therefore accustomed to our climate, and the vegetables, on which they feed, must render them much more promising than the eastern or foreign worms, and it is to be hoped, will induce some who have leisure to make further trials of them. Any time before the middle of May will do to collect them. Now is the time to collect the cocoons, and with a little pains a sufficient number of them may be found in almost any swamp or level piece of land, to make a beginning.

I would advise them to prepare boxes, in the following manner.—They may be of any convenient length, about six inches deep, and four or five wide; without a bottom, and instead of a close cover for the top, let there be strips of wood nailed on, so close to each other as not to admit the worms through—let there also, be several holes in one or both sides, big enough for the worms to be put in at, as they want to spin, and then stopped up—the inside should be washed with a solution of gum arabic, or cherry tree gum—the box may stand on any flat place to prevent the worms getting out; and when the silk is to be unwound, by immersing the boxes in warm water, the cocoons may be taken out without breaking the threads of silk.

[Extracted from the minutes, and published by order of the Society, in order to encourage further experiments, and to assist any who shall be inclined to make them.]

CHARLES THOMSON, *Secretary*.

#### LANCASTER COUNTY STATISTICS.

The following statement has been compiled from the Assessor's returns in the Commissioner's office. As many of them may be defective, we will be obliged to any person who may supply us with a correct list, that we may be enabled to lay it before our readers.

Lancaster city contains seventeen distilleries, one snuff mill, four tanyards, five breweries, and two potteries.

Lancaster township, four distilleries, one fulling mill, four grist-mills, and one factory.

Conestoga, one forge, nine distilleries, one tanyard, eight grist-mills, and three saw-mills.

Lampeter, eleven distilleries, three tanyards, and twelve grist-mills.

Sadsbury, three forges, one distillery, three tanyards, two fulling-mills, five grist-mills, and two saw-mills.

Salisbury, one forge, thirteen distilleries, one tanyard, one fulling-mill, nine grist-mills, and ten saw-mills.

Columbia, two tanyards, one grist-mill, and one brewery.

Caernarvon, three forges, four distilleries, three tanyards, three grist-mills, one saw-mill, and two hemp-mills.

Leacock, seven distilleries, one fulling-mill, and five grist-mills.

Strasburg, nine distilleries, one tanyard, one fulling-mill, twelve grist-mills, twelve saw-mills, one oil-mill, and one pottery.

Little Britain, two forges, five tanyards, two fulling-mills, six grist-mills, seven saw-mills, three clover-mills, and one factory.

East Donegal, thirteen distilleries, two tanyards, four grist-mills, one saw mill, and two breweries.

West Donegal, eight distilleries, one fulling-mill, and four grist-mills.

Rapho, four furnaces, nineteen distilleries, three tanyards, three fulling-mills, eleven grist-mills, six saw-mills and one hemp-mill.

Manheim, nine distilleries, one tanyard, four grist-mills, three saw-mills, one hemp-mill, and one oil-mill.

Elizabeth, one furnace, one forge, three distilleries, one tanyard, two fulling-mills, ten grist-mills, seven saw-mills, one hemp-mill, and one oil-mill.

Cocalico, two carding machines.

East Hempfield, fourteen distilleries, one tanyard, three grist-mills, one saw-mill, one hemp-mill, and one oil-mill.

Coleraine, two forges, two grist-mills, and nine saw-mills.

Warwick, fourteen distilleries, three tanyards, one fulling-mill, thirteen grist-mills, seven saw-mills, one brewery, two hemp-mills, one oil-mill, one carding-machine, and one snuff-mill.

Dromore, one furnace, one distillery, one tanyard, one fulling-mill, three grist-mills, five saw-mills, two oil-mills, one carding machine, two tilt hammers, and one rolling mill.

Martick, one furnace, one forge, two distilleries, four tanyards, one fulling-mill, six grist-mills, and six saw-mills.

Mountjoy, seven distilleries, one tanyard, six grist-mills, and one saw-mill.

Manor, thirty distilleries, fifteen grist-mills, four saw-mills, and one factory.

Earl, eight distilleries, one fulling-mill, and four grist-mills.

As far as our means of calculation extend, Lancaster county contains seven furnaces, fourteen forges, one hundred and eighty-three distilleries, forty-five tanyards, twenty-two fulling-mills, one hundred and sixty-four grist-mills, eighty-seven saw-mills, nine breweries, eight hemp-mills, five oil-mills, five clover-mills, three factories, three potteries, six carding machines, three paper-mills, two snuff-mills, seven tilt-hammers, and six rolling-mills.

The Assessor's returns from Bart, Brecknock, Cocalico, and West Hempfield being defective, no information could be derived from them—we therefore will be obliged to any person, who will furnish us with a list of distilleries, tanyards, &c. of any of the above townships.—*Lancaster Miscellany*.

For the Register of Pennsylvania.

#### THE ALCHEMIST.

No. XXI.

"These degenerate days"—*Pope's Homer*.

It seems to be a generally received opinion that ancient times were better than our own. A reverence for antiquity is taught us in our earliest schools, it is strengthened at our colleges, and confirmed by the historian, the moralist, and the divine, in our riper years. It is not left to our own judgments or feelings, but is dictated so early and so constantly, that we can scarcely remember a time when it was not spoken of as a point of duty. It is worked into our very constitutions, and the question whether has mankind degenerated, is at first, almost as startling to settled prejudices, as the question whether is the christian religion authentic, would be to a well regulated conscience. Our education, our classics and our prejudices are all alarmed, and our feelings answer the question, without consulting our understandings. Homer asserted that the world had degenerated, and whether succeeding times have adopted his opinion as authority, or have thought their

own experience coincided with that of the father of poetry, the same sentiment has been repeated in every age, down to the present times. With a long train of authorities in its favour it is not to be wondered at, if it is believed. In the age of which Homer speaks, they sacrificed to Idols, sought for the secrets of futurity by applications to augurs and oracles, by watching the flight of birds, and by inspecting the entrails of slain beasts; they knew no distinction between war and extermination, or slavery, and with a barbarity that the humanity of the present degenerate days shudders to contemplate, they inflicted upon their prisoners every indignity, outrage, cruelty, torture, and death, and dragged the corpses of their defeated foes, at their chariot wheels. If we have been degenerating from that time to the present, great indeed, though not reported, and unknown must have been the virtues and the happiness which redeemed the past from the vices which we now think disgraced it, or we must be under some strange hallucination by which we are blinded to the fact of our great present depravity.

Old people are very apt to complain of the growing evils of the times, and the years of their youth seem to their retrospection, to be periods of greater virtue in every signification of the term, than those of their declining age. They see fashions, habits and manners changing, and in all the changes they find something to condemn. They see and feel that there is much less respect paid to the gray hairs and stooping form of old age, and without considering the difference between paying and receiving attention, they repine at the degeneration of the present times and teach the superiority of the past.

With so many impulses united, and urging all one way, we are naturally forced without enquiry into an opinion that those who preceded us were much our superiors, and into an unjudging approbation of all the performances of the ancients. In poetry, eloquence, and wit, the Greeks and Romans, are placed above all who have since written or spoken, and so far has this preference been carried that pains have been taken to find out the reasons for the superiority, and ultimately we have been taught to seek for it in the greater strength and beauty of the ancient languages. When we reflect that God created man ignorant, and that he has increased in knowledge from generation to generation, and that the nations of the present age are as superior in the useful arts, in policy and in wisdom to the men of ancient times, as a steam-boat or a seventy-four is to a Grecian galley with seven benches of oars, and when we also consider that the Deity certainly intended for mankind a progressive improvement, and that he is not likely to be disappointed in his intentions, we are led strongly to doubt whether the ancient languages are superior to our own. If they are, in what does their superiority consist? In precision? In ancient languages the context is frequently necessary to the correct interpretation of a sentence and it often happens that neither rule, criticism, nor context, will insure a correct translation. There are sentences which defy the skill of the most critical, and they will continue to be subjects of dispute among the learned, as long as the ancient classics are

made part of a liberal education. Others are not even the subject of contest, but are given up in despair. The translation of the scriptures of truth, the means of our salvation is filled with passages alleged by some to be misinterpreted, by others to be correct. The Catholic copy differs from that of the Protestant, and each party insists upon its own accuracy. All this difficulty arises from want of precision in the ancient languages and not because the learned do not understand their construction. Languages that are deficient in precision can scarcely be remarkable for strength of expression. It seems to be impossible to convey a strong impression of any object or idea if there be any want of precision, which is obscurity, connected with it. Perhaps for poetry, or for high flights of eloquence, some obscurity may be occasionally of service, for very great authority has said that obscurity assists sublimity. In this respect then, the ancient languages may be more habitually sublime, or much more readily than the modern be brought into that kind of service. From their facility of being obscure, however they have but the advantage of facility, for if any writer wants assistance in that way toward accomplishing sublimity of style in the modern languages, he need only turn over the pages of his cotemporaries and he will find ample competition with the ancients, in the obfuscation of ideas. The ancient languages are supposed to have a great advantage over the modern, from the ease with which the words may be shifted from place to place, and thus increase the euphony of the diction, without altering the sense. On this account these languages may be preferred by the poet, not from the greater harmony of the production, but because they are more pliable to his hands, and are moulded with greater ease. When the line is completed he must have an idiosyncrasy of hearing, who can prefer even the smoothest sounds of the ancient, to the sweet music of our modern tongues. To cure his peculiarity, he ought to read the standard poets in the English and Italian languages, and surrendering himself to the guidance of his own judgment he will soon get rid of the prejudices imbibed at the schools. For strength of expression and sublimity of thought, let him read the speeches, sermons and works of the English and French orators, preachers, and writers. Let him contemplate the pictures drawn by Shakspeare, that master in his art, and catch the thrilling sensations inspired by the extraordinary force of his genius, and the vigour of his style, and then find if he can, any thing that is Greek or Roman, at all to compare with them. Let him go from this to the British Parliament, and listen to Chatham, Burke, Fox, Sheridan, and some others, turning thence, let him visit the French pulpit, and there hear the eloquence of Massillon, Bossuet, Fenelon, Saurin, and after having been satisfied with these, let him contemplate the figure of an orator, thundering out such a speech as Cicero's against Cæcilius, if his prejudices have not strengthened into superstition, he will smile at the last exhibition, and pity the speaker's weakness and presumption. Let it not be supposed that this is written to depreciate the value of classical learning; by no means; it is merely designed to encourage a just estimate both of the ancients and ourselves, and

to place us upon the footing of superiority to which we are entitled. S.

From the Bucks county Intelligencer.  
SUSQUEHANNA COUNTY.

**FRIEND KELLY:**—I forward for the Intelligencer, some observations made during a short excursion to this place, about the beginning of the 6th mo. of the present year. And am the more induced to the task from a belief that some very strong prejudices still prevail concerning this section of our state; for while the tide of emigration continues to flow towards the western country, a very general ignorance abounds in relation to the natural advantages of one of the most fertile counties of our state.

One of the first inquiries made by those desirous of settling in a new country is concerning the climate. The spring in this place is considerably more retarded in its progress than in the southern counties. Winter weather continues pretty much through the month of April; and snow prevails through until about this period. Vegetation makes no effectual start before the first of May, when it advances with singular rapidity. From tables kept in the higher parts of the county, the Mercury ranges about 10 degrees of Fahrenheit, lower than in the country around Philadelphia; this is supposed to arise from the altitude of the country which in many instances is from 1500 to 2000 feet above the tide—and this circumstance perhaps contributes to the remarkable healthiness of the inhabitants;—no epidemics being known here; and hectic and autumnal chills and fevers being generally eradicated by a summer residence.

The characteristics of the soil may be seen from its general features. A few years since professor Keating analyzed a portion of the soil taken from the farm of Dr. Rose, in the neighborhood of Friendsville. The following is the result:

	<i>Vegetable Mould.</i>	<i>Hard Pan.</i>
Silica	67,8	73,6
Alumina	7,8	12,2
Carbonate of Lime	1,0	2,0
Oxide of iron	7,0	7,4
Vegetable and animal matter test		
by calculation	8,9	4,2
Magnesia	6,2	0,0
Loss	1,3	0,6
	100	100

The vegetable mould was a soil taken in a state of nature one foot below the surface. The hard-pan of course lies deeper—say 18 inches on an average. The general features of the soil in the neighbourhood of Friendsville, (and it is believed that the remark will apply to most of the land in the country,) are, 1st—such as would be termed of a loamy nature, possessing considerable tenacity or power of retaining moisture, 2d—Being remarkably well watered by an abundance of springs.

The agricultural productions are the ordinary kinds of grain found in the Southern Counties. There is, however, a great variety in the adaptation to the soil. Wheat, rye, and barley have been cultivated with success, although it does not appear that the soil and climate are very congenial with either—oats is well adapted to the place, weighing frequently from 35 to 40 lbs. per bushel,—buckwheat grows uncommonly well. The season is too late and too cold for the culture of corn with the best success. And it is an obvious remark that the greatest obstacle to the culture of all grain as well as other vegetable productions, is the luxuriance with which the natural grasses shoot forth. The *red top*, (or our herd grass,) is natural to the soil of this place, and springs up spontaneously, like *spear grass*, in the richest land in this county. While clover grows abundantly in the same manner. I have seen many acres together, for ground which had never been ploughed, that would yield a large swarth of these grasses.

The wild luxuriance with which they flourish in this place, clearly indicates that it is destined at no very distant period, to become a great grazing country. The farmers sow their winter grain about the time usual with us—their oats about the 1st of May, and their barley from the middle of that month to the first of June. They plant their corn about the first of the latter month. Their mowing is generally done in the month of July; their wheat harvest comes about the 1st of August; oats a month later, barley about the same time. I may probably at some future time, make some addition to the above remarks. H.

FAYETTEVILLE SUFFERERS.

**FELLOW CITIZENS:**—On closing the duty you consigned us, of transmitting to our afflicted countrymen in North Carolina, the contribution of \$11,619,34, which your sympathy dictated and bestowed for the alleviation of their distress, we assure you of the grateful sense which the sufferers at Fayetteville entertain and have expressed, for your prompt, and generous assistance.

We moreover take pleasure in leaving testimony to the kindness and activity which distinguished the efforts of those gentlemen, who made the collections in the wards and districts of the city and county of Philadelphia.

This is a service which is undertaken only from the conviction of its humane obligation, and we are sure, that in common with all other unostentatious labors of beneficence, it will be the means of conferring upon those who have performed it on the recent occasion, the most durable and precious rewards.

William White,	John Thompson,
B. W. Richards,	Richard Renshaw,
Alexander Henry,	Joseph S. Riley,
Roberts Vaux,	Joseph M'Ilvaine,
Joseph R. Chandler,	Adam Woelper,
Mathew Carey,	James Ronaldson,
Josiah Randall,	Robert Earp.

Committee of Superintendence.

DR.

The Committee of Superintendence, in account with contributors, for the relief of sufferers by fire at Fayetteville.

Upper Delaware Ward	-	-	-	263,84
Lower Delaware do	-	-	-	411,25
High street do	-	-	-	916,50
Chesnut do	-	-	-	1259,00
Walnut do	-	-	-	799,12
Duck do	-	-	-	808,50
Pine do	-	-	-	272,99
New Market do	-	-	-	270,50
Cedar do	-	-	-	100,00
Locust do	-	-	-	472,00
South do	-	-	-	626,75
Middle do	-	-	-	615,00
North do	-	-	-	869,25
South Mulberry do	-	-	-	291,00
North Mulberry do	-	-	-	278,23
Northern Liberties	-	-	-	802,80
Southwark	-	-	-	349,85
Kensington	-	-	-	90,60
Spring Garden	-	-	-	466,93
Moyamensing	-	-	-	61,50
Byberry, Oxford and Moreland	-	-	-	77,50
Amity Lodge	-	-	-	20,00
Ives's Concert	-	-	-	66,00
Association of Teachers	-	-	-	17,00
West's Picture, (Christ Rejected) exhib'n for 1 day	-	-	-	50,87
Milton, Penn. per B. W. Richards	-	-	-	75,00
Southampton Baptist Church,	-	-	-	18,05
Reading, Penn. per Roberts Vaux	-	-	-	309,00
Pittsburg Hose Company, per Mathew Carey	-	-	-	79,00
Lebanon Penn. do do	-	-	-	97,12
Youngstown, Penn. do do	-	-	-	25,00



Donations sent to the under named members in the

Committee of Superintendence, viz.	
Bishop White	30,00
Roberts Vaux	203,00
Alexander Henry	101,00
B. W. Richards	10,00
Paul Beck, Jr.	15,00
M. Carey	116,00
R. Earp,	67,00
Rec'd. by the Com. of Superintendence from the	
following persons, collected by them, R. Miles	169,75
D. Clark & J. Bowers	47,44

\$11,619,34

CR.

Transmitted to the Commissioners of Fayetteville, by William M'Ilvaine, Esq. Cashier of the Bank of the United States, drafts on the Branch Bank of the United States, at that place, \$11,523,92  
Printing and Postage, com. of Superintendence 95,42

\$11,619,34

In addition to the contributions of cash above exhibited, a donation of 44 cotton shirts was made by Alexander Henry, Esq. a bundle of assorted clothing, and through the Southern Dorcas Society, sundry garments from the female house of industry, (Ranstead's Court,) and two crates of sundry utensils for house keepers, from Abraham Miller, Esq. all which have been shipped to Wilmington, N. C. the nearest port to Fayetteville.

DR.

Committee of Superintendence of Fayetteville donations in account with William M'Ilvaine, cashier, treasurer. 1831, July 12, to amount of drafts transmitted to Fayetteville \$11,523,92  
Expenses of the Committee 95,42

\$11,619,34

CR.

1831, July 12, by amount of contributions collected \$11,619,34

\$11,619,34

WM. M'ILVAINE, Cashier, Treasurer.

Bank United States, July 12th, 1831.

### BRADDOCK'S DEFEAT.

A friend has kindly lent us some volumes of the Gentleman's Magazine, published in London about the period of the *Old French War*, as the war which commenced at this point on the 17th April, 1754, is commonly called. From the number for August, 1755, we have selected the account of the defeat of the English army in our neighbourhood, on the 9th July, 1755. This article, we trust, will not prove uninteresting to our readers, although it is the record of an event long since passed. In this unfortunate and sanguinary affair, our Washington, just seventy-six years ago from to-morrow, gave evidence of that cool, deliberate courage, and eminent military talent, which distinguished his subsequent career. A historian, in noticing this action and Washington's conduct in it, states that "he had two horses killed under him, and four balls through his coat; but, to the astonishment of all escaped unhurt, while every other officer on horse back was either killed or wounded."—Our readers will scarcely fail to observe, that although credit is given to the Virginia troops, Washington's name is not mentioned in this account.

It is probably unnecessary for us to state, that the number of French and Indians engaged in this action is greatly overrated in the following account. The whole united force did not exceed four or five hundred men, who were commanded by a subaltern, the commandant having proved himself unequal to the emergency.—This officer afterwards claimed the credit of the affair, and sent home the gallant subaltern under arrest, who

was subsequently tried and cashiered for some alleged misconduct. He then secluded himself in Switzerland where he remained in obscurity until after our revolution. He was recalled after Lafayette's return to France, who, while in America, had heard the true history of Braddock's defeat. We have never heard the name of this subaltern, and would be pleased if some correspondent of Lafayette would make the inquiry.

As the present is the verriage of coincidence, it perhaps is not unworthy of remark, that the same Dr. Craik who was an eye witness and gave an account of Washington's conduct in this his first important battle field, was one of his attendants on his death bed.—*Pittsburg Gazette*.

Of the expeditions set on foot against the French in America, mentioned in our last, the issue of one only was then known, the capture of fort Beausejour, by Gen. Monkton, who commanded the expedition to Fundy.—We have received the following accounts of Gen. Braddock, who was destined to the Ohio.

It was said by letters from Virginia, dated June 22, that on the 12th, Gen. Braddock, with 2,000 regular troops, had passed the Allegheny mountains, and was within 5 days march of Du Quesne, a French fort on the Monongahela river, which runs into the Ohio. Sir John St. Clair having advanced near enough to view it, and consider the adjacent ground, remarked a small eminence that was within cannon shot; and the fort being built of wood, and garrisoned with 1,000 men, it was proposed to erect a battery on this eminence, and set fire to the place, by throwing into it a great number of red hot balls.

Letters from Philadelphia, dated June 25, gave an account, that the General had been long detained at Will's Creek, and greatly distressed for the want of forage and provisions. Landing the troops at Virginia is said to have been a most unfortunate error, as neither forage, provisions, nor carriages were there to be had, and that if they had landed in Pennsylvania it would have saved £40,000 sterling, and shortened the march six weeks. He was, however, promised 150 wagons, and 300 horses, with a large quantity of forage and provisions, to be furnished from the back settlements of Pennsylvania; but after tedious and anxious expectation of these succours, he received instead of 150 wagons, only 15; and instead of 300 horses only 100. This disappointment, however great, was much aggravated when the wagons were unloaded, for the provisions stunk so intolerably, that he must have suffered very greatly from hunger, who could eat it. While he was in this distress, he received an unexpected supply of £500, in provisions and wine, from Philadelphia, which was sent him by the hands of Mr. Franklin. The General accepted this present, with great joy, and urged Mr. Franklin to use his interest to procure farther assistance. Mr. Franklin observed that General St. Clair's dress was of the Hussar kind, and this gave him a hint which he immediately improved. He caused a report to be propagated among the Germans, that except 150 wagons could be got ready, and sent to the general within a certain time, St. Clair, who was a Hussar, would come among them, and take away what he found by force.—The Germans having formerly lived under despotic power, knew the Hussars too well to doubt their serving themselves, and believing that Gen. St. Clair was indeed a Hussar, they provided instead of 150, 200 wagons, and sent them within the time that Mr. Franklin had limited.

The Pennsylvanians also advanced a farther sum above the king's bounty, and sent him 190 wagons more, laden each with a ton of corn and oats, four wagons with provisions and wine for the officers, and 60 head of fine cattle for the army.

The general, as soon as he had received these supplies, pursued his march, having received from time to time various and contradictory accounts of the strength and motions of the enemy: Fort Du Quesne was some-

times said to be garrisoned by its full complement, 1,000 men: some times he was assured by French deserters, that the garrison did not consist of more than 200, and that there were but 500 at Venango and Presq' Isle, on the banks of the lake Erie, distant from Du Quesne about 90 miles. He received also frequent intelligence of French parties in motion, particularly of a considerable number that were seen in bateaux, on the lake Ontario, as we supposed on their way to the Ohio, and of 600 that had passed the lake in 120 canoes and bateaux, and were going to Niagara. It was now expected that the next advices would give an account of the siege, if not of the capture of fort Du Quesne, as every one had been taught to believe, that our force in this part of the world was so much superior to the French, that to march and take possession was the same thing; but in the midst of this impatience and confidence, we were alarmed with the report that Gen. Braddock had been defeated, and soon after the following article appeared in the Gazette.

*Whitehall, Aug. 26, 1755.*

By his Majesty's ship the Sea-Horse, from Virginia, advice has been received, that Major General Braddock, having advanced with two thousand men, and all the stores and provisions, to the Little Meadows (about 20 miles beyond fort Cumberland at Will's Creek) found it necessary to leave the greatest part of his wagons, &c, at that place, under the command of Col. Dunbar, with a detachment of eight hundred men, ordering him to follow as fast as the nature of the service would admit. The General having by this means lessened his line of march, proceeded with great expedition, his corps then consisting of about twelve hundred men, and 12 pieces of artillery, together with the necessary ammunition, stores, and provisions. On the 8th of July he encamped within 10 miles of Fort Du Quesne; and on the 9th, on his march through the woods towards that fort, was attacked by a body of French and Indians, who made a sudden fire from the woods, which put the troops into great confusion, and occasioned their retiring with great precipitation, notwithstanding all the endeavors of the General and his officers, many of whom were killed whilst they were using all possible means to rally the men. The General, who exerted himself as much as man could do, after having five horses killed under him, was shot through the arm and the lungs; of which he died the fourth day. Sir Peter Halket was killed on the spot. Two of the General's aids de camps, (Capt. Orme and Capt. Morris) were wounded. His secretary, (son to governor Shirley) was killed. Sir John St. Clair, quarter-master-general, and his assistant, Mr. Leslie, both wounded. It is reckoned there were about 200 killed, and 400 wounded; the latter are mostly collected at Will's Creek, to which place Col. Dunbar, with the remainder of the troops, has retired; from whom a more particular account is expected.

The following list has been received of the officers killed and wounded on the occasion.

#### STAFF.

Major General Braddock	died of his wounds.
Robert Orme, Esq. } Aids de Camp }	wounded
Roger Morris, Esq. }	
William Shirley, Esq., Secretary,	killed
Sir John St. Clair, dep. quar. master gen.	wounded
Matthew Lesely, Gent., his assistant,	do.

*Late Sir Peter Halket's Regiment.*

Sir P. Halket, Col.,	k	Capt. Tatton,	killed.
Lieut. Col. Gage,	w	Capt. Gethins,	do

#### Subalterns.

Lieutenant Littleler,	w	Lieut. Lock,	w
" Dunbar,	w	" Disney,	w
" Halket,	k	" Kennedy,	w
" Treeby,	w	" Townsend,	k
" Allen,	k	" Nartlow,	k
" Simpson,	w	" Pennington,	w

#### Colonel Dunbar's Regiment:

Lieut. Col. Burton,	w	Captain Rowyer,	w
Major Sparkes,	w	Captain Ross,	w
Captain Cholmley,	k		

#### Subalterns.

Barbut,	w	Brereton,	k
Walsham,	w	Hart,	k
Crimble,	k	Montresuer,	w
Wideman,	k	Macmillen,	w
Hanford,	k	Crow,	w
Glandwin,	w	Sterling,	w
Edmeston,	w		

#### ARTILLERY.

Capt. Lt. Smith,	k	Lieutenant McCloud,	w
Lieut. Buchanan,	w	" McCollar,	w

#### ENGINEERS.

Peter McKeller, Esq.	w	— Williamson, Esq.	w
Robert Gordon, Esq.	w		

#### Detachment of Sailors.

Lieutenant Spendelow,	killed.
Mr. Talbot, Midshipman.	killed.
Captain Stone, of Gen. Lascelle's Regiment,	w
" Floyer, of General Warburton's do.	w

#### Independent Companies of New York.

Captain Gates,	w	Lieutenant Howarth,	w
Lieutenant Sumain,	k	" Gray,	w

#### Virginia Troops.

Captain Stephens,	w	Captain Peronic,	k
" Poulston,	k		

#### Subalterns.

Hamiltan,	k	Stuart,	w
Wright,	k	Wagoner,	k
Splidorrff,	k		

Several other accounts of this action, and lists of the dead and wounded have appeared in the papers, and are said to be taken from private letters. By the Gazette account, General Braddock seems to have been attacked by an ambuscade of French and Indians, on his march through the woods, before he came within sight of the enemy; by the other accounts, he seems to have reached an advanced party of the French, before the action began. They are to this effect.

The French who were posted at fort Du Quesne, and on the Ohio, consisted of 1,500 regular, and 600 irregular troops, who had with them a considerable number of Indians in their interest. These forces, having gained very particular intelligence of Gen. Braddock's design, of the number and condition of his forces, and the route they were to take, no sooner found that he was advancing after having received his last supply of provisions, than they also advanced towards him, and having chosen a very advantageous piece of ground, about six miles south of their fort, they formed a camp and intrenched themselves in a masterly manner, having a thick wood on each side of them, which extended along the route the General was to take. When he was come within three miles of their intrenchments, they drew out of their lines, placing their 600 irregulars in front, as a forlorn hope, and their 1,500 regulars behind to support them; they also stationed a great number of their Indians in the wood, on each side, who effectually concealed themselves behind trees and bushes.

Soon after this fatal disposition was made, General Braddock appeared with his troops in the following order.

Colonel Gage and Burton of Halket's Regiment.

The General with Dunbar's Regiment.

The troops from Virginia, Maryland and Carolina.

As soon as the whole army was got between the two ambuscades, the men were alarmed by the Indians, who fired singly at the General, and other particular officers; upon this they pushed forward, as the enemy was in sight, though not within musket-shot, and as soon as

they came near enough, the attack was begun by the Colonels Gage and Burton. This was a signal to the Indians in ambush, who immediately gave the war whoop, and raising from the thickets, discovered themselves on both sides, flanking our men in volleys, which did incredible execution. The advanced guard, being now between three fires, immediately gave way; but being rallied with much difficulty by the officers, they gave one fire, and then returned in the utmost confusion, and threw Dunbar's regiment, which was behind them, into the same disorder: They were with unspeakable difficulty and trouble once more rallied by their officers, and stood one fire from the enemy, but then without returning it, both the regiments fled, with the utmost terror and precipitation, deserting their officers, who though alone kept their ground till of 60 only 5 remained that were not either killed or wounded.—The Virginians who formed the rear still stood unbroken, and continued the engagement on very unequal terms near three hours, but were then compelled to retire. These letters give the same account of the General as that in the Gazette, but add that all our baggage, provisions, and even military chest, is fallen into the enemy's hands. Other letters, however, contradict this particular, and say that the artillery, baggage, and military chests are safe, being two days behind the army.

There is, indeed, some reason to hope that this is true, from the account published by authority, for it is there said, that the general left the baggage, &c. behind him twenty miles, that he might march with the greater expedition; the very reason of his leaving them behind seems to prove, that he went forward without halting, and that it was impossible the men with the baggage should keep near him; so that, as they must have been considerably behind him when the action happened, it is probable the broken troops joined them in their retreat, and proceeded safely with the baggage to Will's Creek.

The European troops, whose cowardice has thus injured their country, are the same that ran away so shamefully at Preston-Pans: To prevent, however, any unjust national reflections, it must be remarked, that though they are called Irish regiments, they are not regiments of Irishmen, but regiments on the Irish establishment, consisting of English, Irish, and Scots, as other regiments do. It is, however, said, that the slaughter among our officers was not made by the enemy, but that as they ran several fugitives through the body, to intimidate the rest, when they were attempting in vain to rally them, some others who expected the same fate, discharged their pieces at them, which, tho' loaded, they could not be brought to level at the French. On the other hand, it is alleged, the defeat is owing more to presumption and want of conduct in the officers, than to cowardice in the private men; that a retreat ought to have been resolved upon the moment they found themselves surprised by an ambuscade; and that they were told by the men, when they refused to return to the charge, that if they could see their enemy they would fight him, but that they would not waste their ammunition against trees and bushes, nor stand exposed to invisible assailants, the French and Indian rangers, who are excellent marksmen, and in such a situation would inevitably destroy any number of the best troops in the world.

### BETHLEHEM.

FROM A TRAVELLER'S NOTE BOOK.

We visited this charming town, on our way to Philadelphia, and found it to exceed our most sanguine expectations. It has become the resort of many from various parts of the Union, and some families from "the city," spend a part of the summer here. The accommodations are good. We stopped at the large establishment kept by Atherton, a quaker, who with his wife and daughter, do every thing to make it the trav-

eller's home. This house is very large, three stories high, and commands a fine view of the country. It belongs to the Moravians, by whom this place was first settled; and at this time it continues to be, exclusively, a Moravian settlement. The only place of worship, is a spacious church belonging to that denomination; it will contain on the lower floor about two thousand persons. The Moravians are fond of music; and in the church besides a fine toned organ, they have a full band of instruments. A day or two previous to our arrival, one of their old members died: and as they have a peculiar ceremony on such occasions, you shall have it as communicated to me. As soon as a member dies, 4 musicians ascend to the top of the tower of the church, with trumpets, and announce the event to the four quarters by blowing the death dirge. The body is immediately removed to the house appointed for the dead; and on the third day, the friends of the deceased assemble at the church, where the funeral service is performed.—The corpse is brought from the dead house to the lawn in front. The mourners place themselves around it, and after several strains of solemn music, the procession take up a line of march to the grave, preceded by the band still playing, which is continued some time after the coffin is deposited. The grave-yard is kept with perfect neatness. The graves are in rows, on each of which is placed a piece of stone, about twelve inches square, on which is engraved the name of the deceased—the date of his birth and death. Among the many that we looked at, was that of the pious Heckewelder; who was born in 1743, and died in 1823. Bethlehem is about 50 miles from Philadelphia and 10 from Easton, between which place and New York, there is a daily line of stages. It is situated on the Lehigh, that river and the canal to the Delaware running through it. One thing is remarkable—that not a single lawyer resides in Bethlehem. The community-system of the Moravians accounts for this moral phenomenon.—*N. Y. Com. Adv.*

### ANTHRACITE COAL TRADE OF THE UNITED STATES.

The following table exhibits with as much accuracy as our means will allow, the quantity of anthracite sent to market during the last ten years, with the annual increase of exportation, by which it appears that the aggregate amount in that period is equal to 525,825 tons.

It will be observed also that the increase of exportation last year alone amounted to 75,000 tons:

Quantity sent to market.		Annual Increase.
In 1820	365 tons	
1821	1,073	608 tons
1822	2,440	1,167
1823	5,823	3,583
1824	9,541	3,718
1825	33,395	23,852
1826	48,047	14,654
1827	61,665	13,618
1828	77,395	15,730
1829	105,083	27,688
1830	181,000	75,917

It is not believed that the present year's exportation will far exceed that of the preceding year, although the increase in consumption must be in a two-fold proportion, if correct inferences may be drawn from well authenticated facts. The number of steam engines in the city of Philadelphia alone using anthracite coal, is represented to be between 60 and 80, to which must be added those of the city of New York, as well as several steamers. The rapidly increasing consumption in private families and public offices is also to be considered as a large and important item in the estimate of causes which tend to the support of our proposition. The surplus quantity remaining on hand last spring was about thirty thousand tons, which would leave an amount consumed of 151,000 tons, and an increase in



consumption of 45,000 tons over and above the former years. Rumors unfavourable to the prospects of the coal trade have been industriously propagated of late by disappointed or designing men to prejudice our interests. With confidence we appeal to every reflecting man for the truth of the assertion, that the aspect of the coal trade was never more strongly indicative of future successful operations than at present. Coal is now cheaper than any other fuel—its advantages combined with this circumstance will indubitably insure it a preference. The quantity of anthracite sent to market having increased from less than one thousand to one hundred and eighty-one thousand tons in ten years, we will hazard our reputation on the prediction, that at the expiration of ten years hence the demand will equal *one millions of tons*.

By reference to the above table, it will be seen that the quantity in 1825 far exceeded that of any preceding year; this was owing to the additional supplies from the Schuylkill region, which produced a glut in the market. Many individuals engaged in the business at that time lost money—but a revival followed, and the coal trade flourished. The value of coal lands rose and every branch of the business became prosperous. If any interruption to this prosperity has occurred, it must be attributed to the great and unexpected influx of the article from the Lackawanna region. The exportation during the present year from the different regions will not, we think go beyond two hundred thousand tons, and as the demand must, as before stated, increase in a double proportion, a steady market the ensuing season may be fairly anticipated.

**EASTON.**—We scarcely look into an exchange town or village paper, but we see flattering accounts of the improvements going on in building, &c. This is encouraging and shows the general prosperity of the country. Our town has never been celebrated for springing up or increasing with unhealthy rapidity; its progress in improvements and population, has been steady and progressive. Our streets within the last few years have been much improved, levelled and regulated—our side-walks will now compare with those of any other town of its size in the state. Our buildings are, generally, good and substantial, and owned by those who occupy them. This season there will be erected at least fifty dwelling houses, many of them splendid brick buildings, and covered with slate.

The increase of population in this place has been singularly regular for the last thirty years. In 1810 the population was about 1625—in 1820 about 2450—in 1830, 3700; showing a gain of a trifle more than 50 per cent. in each ten years. The increase of population and business in and since 1830, is in a still greater ratio. The Lehigh affords a fine basin on either side for business, for near a mile above the dam at its mouth. It is now wharfed or walled as far as the bridge on the Easton side, and on the other to the outlet lock of the Lehigh canal, and preparations are on foot for extending the wharves on this side of the river.—*Whig*.

WILKESBARRE, June 29.

**Lime.**—Last week we visited the lime-kiln spoken of in the last Democrat. The quarry is upon what is called the little mountain in Newport, about three quarters of a mile from the Hanover line, and about two miles from the river. The stone is of a bluish cast, and when burnt, appears to consist of mixed substances. After it is slacked and mixed with water, the lime is of a gray color. That there is strong lime among it, we have no doubt, but we fear too great a proportion of it is of an inferior substance. It may answer for laying rough wall, and perhaps for the first coat in plastering houses.

Mr. Hilford, who is at work quarrying the stone, thinks when he reaches farther into the rock, he will find purer lime stone, and that which will make white lime.

We understood a similar kind of rock was discovered

some time since in Kingston, and a quantity of it burnt. It is said it answered so well for some purposes, that it is in contemplation to burn another kiln.

**Messrs. Editors.**—At seven o'clock yesterday morning (Sunday), I saw standing at Gadsby's door one of the Phoenix Line of Stages, which had just reached our city, having started from Baltimore with a full load of passengers, on the same morning at three o'clock,—an astonishing facility of accommodation and rapidity of travelling, when we recollect that the same route has frequently, of late years, taken us an entire day to get through. In the morning, between the hours of three or four, and seven or eight, is certainly during the summer season, the most judicious time to choose to travel, which the public are much indebted to this line for adopting.

It will be seen, that by this expedition from Philadelphia to Washington, a passenger may *dine* at the former city, (which he leaves at half-past 12,) and have time to shave and dress before the earliest *breakfast* hour the next day at the Metropolis.

Monday, July 4.

ARIEL.

A few weeks since we took occasion to speak of some Indian Relics that were discovered near the Canal Basin in this place. Since then the workmen on section No. 18 of the Canal, about two miles this side of Bainbridge came upon one end of an old Indian burial ground. The bones had so completely gone to dust, that they could only be distinguished from the natural soil by a difference in color. A great many articles of use and ornament were discovered; there were crocks, hatchets, tomahawks, arrow heads, bullets, buck shot, thimbles, beads, pipes, &c. The pipes are made of clay, and are spoken of as being very perfect and beautiful, with the head of a fox engraved on the bowl; so lightly is one of them valued by the finder, that he has refused to take less than five dollars for it: all the thimbles had a small hole in the top—they were probably strung together as ornaments: the beads were of different kinds, and unlike any we had before seen. It is thought that a short distance from where the excavation was made towards the river, the earth would be found to be filled with these curiosities.—*Columbia Spy*.

WILKESBARRE, June 29.

**Susquehanna and Delaware Rail Road Company.**—We understand the Engineer in the employ of this Company, intended to begin a survey of the route on the 27th inst. commencing at the summit or dividing land, between the waters of the Susquehanna and Delaware. Assisted by Mr. Drinker, one of the Commissioners, it is his intention to first take the level, &c., from the summit to the Susquehanna, near Pittston.—*Susquehanna Democrat*.

**The Canal Boat, Luzerne,** Captain Bird, arrived at Nanticoke dam, on Thursday last, loaded with 21 tons of merchandise from Philadelphia. Owing to leaks in the canal, Capt. B. could not proceed in it farther than Northumberland, and rather than wait until the necessary repairs are made, he brought the boat in the river from that place to the dam. This is the first canal boat that has brought loading to the Valley.

Much credit is due Capt. Bird for his enterprise, and exertions to reach the Valley with his boat, when opposed by so many and great difficulties.

We hope soon to be able to announce that the canal is navigable.—*ib*

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# HAZARD'S REGISTER OF PENNSYLVANIA.

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From the Journal of Law.

## OPINION OF CHIEF JUSTICE GIBSON.

We take pleasure in placing before our readers the able opinion of Chief Justice Gibson, in the case of *The Corporation v. Wallace*, which is interesting, not only on account of its general importance, but as pronouncing the law on a question about which great diversity of opinion, if not a decided inclination the other way, had prevailed in this part of the state, not only in the profession, but among the community. On the 21st of March, the Chief Justice and Judge Huston delivered the opinion of the court on the main point, from which Judge Ross dissented; and Judge Huston the opinion of all the judges but the Chief Justice, on the residue of the case. We have omitted to publish that part of the opinion of the chief justice which relates exclusively to the particular cause.

### CORPORATION V. WALLACE.

No prudent judge will disregard an opinion of the bar. During an experience of fifteen years in this court, I have seldom found one of its decisions received with disapprobation at the bar, which did not contain something which called for revision. But professional opinion, though valuable as a test of judicial decision, is not infallible. The principal recognition in *Willard v. Norris*,\* was viewed in a particular part of the state, as a portentous novelty: yet a little consideration would have shown it to be a familiar part of the jurisprudence of every civilized people, whether ancient or modern. Of this, as regards the civil law, which with local modifications, is the code of continental Europe, there is not a doubt. "The principal effect," says Ferriere, "of an adjudication by decree, (judicial sale) is a transfer of all the rights of property to the highest bidder, so that he cannot be disturbed by lien creditors, or mortgagees, who have not made resistance to the decree; nor after sale and confirmation, by any claimant of title to any part of the estate levied, because the decree extinguishes (*purge*) all rights of property, mortgages, incumbrances, quit rents, (*charges réelles et foncières*) in default of opposition (*Diet de droit verbo Saisie réelle*.)" In the language of the law, says Deniset, who says the same thing, "the word opposition signifies an act by which the execution of a judgment by default is resisted, having for its object the prevention of a sale, till the interests of the opposing party are secured." (*Collect. de jurispr. verbo opposition*.) "The resistance being in substance the defence of a terre tenant to a scire facias, is to be of course before the decree of confirmation. The sale is strictly judicial, being pursuant to an adjudication, and the proceeds distributed by the court among the creditors according to the priority of the liens or classes. (*Diet de droit verbo ordre*.) Thus we have distinctly announced to us a principle of the civil law, by which not only are liens extinguished, but even an estate paramount to the lien of the seizing creditor is divested. Such also is the rule of the maritime law, which distributes among lien creditors the proceeds of a ship sold by order of the Court of Admiralty on a younger lien; an instance of which is found in the case of the *Madonna*, (6 Rob-

inson, 207.) I certainly do not pretend that the practice of the civil law is to have the force of precedent in the courts here: but, in a case like the present, it seems fair to say that it goes far to efface the impression of juridical novelty. At the common law there is no judicial sale of lands, and of course we have no English authorities directly in point. In chancery the practice is to pay off incumbrances out of the purchase money, which appear on the master's report, and no other is paid, only because as it is said there is nothing to show the court that there is such an incumbrance. (Vide — a *Stretton*, 1 Ves. Jr. 266.) But this exception helps to establish the rule, and demonstrates not only the ability of the court to extinguish incumbrances, but its readiness to do so when judicially informed of their existence. When, however, an incumbrance cannot, for any cause whatever, be satisfied out of the purchase money, it of course remains there, as it does here, a charge on the land. But in chancery the process of sale is such, as to admit of exceptions that have no place in a sale on execution which requires prompt payment by the purchaser, and deprives him of an opportunity to see to the application of the purchase money, and by reason of which the rule is applicable in all its force, to judicial sales of chattels at the common law. As to these, liens created by the act of the parties, require transmutation of the possession, and as goods taken in execution must be actually seized, the reversionary interest of the owner (so to speak) cannot be levied, and for this reason perhaps it is, that goods pawned cannot be taken in execution before they are redeemed. But conflicting liens are created by delivering conflicting executions to the sheriff; and it is perfectly settled that a sale on a younger execution divests the lien of the older one, which takes, not the goods in the hands of the purchaser, but their price in the hands of the sheriff. Would it not then have been strange, if our progenitors had not applied the rule of the common law to land when they subjected it to sale on a common law execution as a chattel. They carried the consequences of the principle further than is demanded here, and held that a judicial sale divests, without compensation out of the purchase money, the wife's inchoate estate of dower—an interest in the land certainly as sacred as that of a mortgagee. At the end of a century, in which the most curious legal antiquarian might be challenged to produce an instance of a sale on an older judgment, after there had been a sale on a younger one, the practice of satisfying the older judgments out of the purchase money, received the sanction of a direct judicial recognition; and as far as I have ever heard, with the most perfect acquiescence of the legislature, the bar, and the people. The rule, therefore, having been incontestably established, as regards incumbrances generally, it will require decisive arguments to prove a mortgage to be an exception.

This has been attempted on two grounds; the first, that the mortgagee is not an incumbrance, BUT THE OWNER OF AN ESTATE IN THE LAND, has been abandoned by one of the eminent counsel, who have argued for the plaintiff. He has thought proper to occupy the second ground, that the lien of a mortgage is CREATED EXPRESSLY BY THE ACT OF THE PARTIES, while the lien of a judgment is but incidental. Of these in their order.

\* See Register Vol. 5, page 273.

In form, a mortgage is certainly a conveyance; but it is unquestionably treated at law here, in the way it is treated in equity elsewhere, as a bare incumbrance, and the accessory of a debt; as between the *partes* it is a conveyance, so far as is necessary to enforce it as a security. As regards their persons, the mortgagor is the owner, even of the legal estate. This distinction, which, if attended to, will be found to reconcile the apparently jarring *dicta* of the judges, is as firmly established by the practice and decisions of the courts in Pennsylvania, as any other in the law. If the mortgagee had the title for any other purpose than to afford him a remedy, it would not be easy to account for the absence of all the incidents of his supposed ownership; yet his estate if such it be, certainly cannot be set up as outstanding to bar an ejectment by the mortgagor, or an action of trespass, or a proceeding to obtain compensation for a privilege under a statutory license; nor is it subject to taxation, or lien by judgment, or sale on execution, or contest, or dower. It does not break the descent of the estate, or require a reconveyance to re-vest the title, or prevent it from vesting in a purchaser, or affect the validity of a second mortgage. In answer to the last remark it has been said, that a second mortgage is always of the equity of redemption, which I admit may be the subject of hypothecation. But what will be said of a third mortgage after the equity of redemption also has been conveyed? Contrary to the professional sentiment here, it would be simply void, unless there be equity of redemption springing from equity of redemption in an infinite series, like certain mathematical quantities, which, though perpetually vanishing, are perpetually in view. Such a mortgage would be incapable of confirmation, even by payment of the preceding ones, unless the vesting of the estate in the last mortgagee were supposed to have awaited the event: a process not at all in unison with our notions of conveyancing. But this qualification of the mortgagee's legal estate, seems to be recognized, in some degree, even in England. "A mortgagor in possession," says Mr. Powell, "begins a settlement, because the mortgagee, notwithstanding the form, has but a *chattel*, the mortgagee being only a pledge to him for security of his money; and the original ownership of the land still residing in the mortgagor, subject only to the legal title of the mortgagee, so far as such title is requisite to the end of his security." (Law of Mortgages, 221.) That the legal effect of the instrument should have been modified by time and circumstances, will not appear incredible to those who are familiar with the change produced by usage in the legal effect of a policy of insurance, which has been fixed, not by the letter, but the course of trade, which, with frequent discussion, repeated decisions, and length of time, has reduced the meaning of a very incoherent instrument, to a reasonable degree of certainty. (Marsh on Ins. 304.) Again, by the Stat. 7 and 8. W. 3. C. 25 a mortgagor in possession is treated as a freeholder so far as to entitle him to vote for members of parliament. This, being a matter of arbitrary enactment, may be said to prove nothing: it discloses, however, the dawn of sentiment which has been carried much further by the courts. Even in the state of New York, where the distinction between equity and law is as scrupulously observed as in any part of the world, it has been explicitly declared in *Hutchcock v. Harrington*, (6 Johns. 290) to be the settled doctrine of their courts of law, that the mortgagor is seized as to all persons but the mortgagee; and the principle thus broadly announced, has been carried out in subsequent cases. "Not only the original severity of the common law," says the distinguished commentator on American law, "treating the mortgagor's interest as resting on the exact performance of a condition, and holding the forfeiture or breach of the condition to be absolute by non-payment and tender at the day, is entirely relaxed; but the narrow and precarious character of the mortgagor at law

is changed under the more enlarged jurisdiction of the courts of equity. THEIR INFLUENCE HAS REACHED THE COURTS OF LAW, and the case of mortgage is one of the most splendid instances in the history of our jurisprudence, of the triumph of equitable principles over technical rules, and of the homage which those principles have in THEIR ADOPTION IN THE COURTS OF LAW." (4 Kent, 151-2.) If such, then, be the progress of equitable principles, in courts purely of common law jurisdiction, what might we not expect it to be in courts which are a forum for the joint administration of law and equity? The principle that the mortgagor is seized as to every one but the mortgagee, was asserted by this court in the *Schuylkill Navigation Company v. Thoburn*, (7 Sergt. and R. 411.) and in *Ricket v. Madeira*, (1 Rawle, 321.) it was applied to the interest of a mortgagee, which was held to be exempt from execution because he had not an estate in the land. In *Scott v. Crossdale*, (1 Yeates, 75.) it was determined that dower is barred by sale on a mortgage executed by the husband without the concurrence of his wife from which it is clear, that the mortgage was not viewed as the conveyance of an estate, (for the estate of the wife passes only by the joint act of herself and her husband) but as a legal incumbrance; like a judgement on which dower may be divested on the principle that the land is sold as a chattel. These cases, with *Wentz v. Dehaven*, (1 Serg. and R. 312.) and *McCall v. Lenox*, (9 Serg. and R. 392.) in which a mortgage was in all essential respects put on a footing with a judgement, very satisfactorily disclose the judicial sentiment of Pennsylvania; to which may be added *Blanchard v. Colburn*, (16 Mass. 346.) as showing a similar sentiment in Massachusetts. It is supposed, however, that *Simpson's Lessee v. Ammons*, (1 Bunce, 175.) in which it was held on the authority of *York v. Stone*, (1 Salk, 158) that a mortgage by a joint tenant is an act of severance, looks the other way, inasmuch as it is thought to be incapable of producing that effect without operating as a conveyance. We know how eagerly a pretext is sought to elude the odious incident of survivorship, as for instance the execution of an elegit on the joint estate of one of the tenants, which is held to work a severance, (Gibb. on Execution, 41.) yet tenant by elegit has but a chattel, (2 Inst. 396.) An inference has been attempted also from *Lancaster v. Dolan*, (1 Rawle, 321.) which, it seems to me, it does not warrant. It was held there that a mortgagee is a purchaser within the 27 Eliz. and entitled to all the advantage which the character can give him in a conflict with a volunteer. But that proves nothing which has not already been conceded. The title doubtless passed as far as was necessary to the protection of his security, and so far the mortgagee was a purchaser in the strictest sense of the word. At one time it was doubted whether a judgment creditor is not a purchaser within the true intent of our recording acts, and it has been barely held that he is not; yet no one ever suspected him of being the owner of an estate in the land. As to the other ground of the inference from the position there taken, that a mortgage is a conditional sale, every one the least conversant with the doctrine of powers, knows that in the execution of them, form is substance; and that a mortgage, being in form a conditional sale, may be a valid execution of a power to sell without conveying the estate, to every intent and purpose.—The case of *Ripple v. Ripple*, (1 Rawle, 386.) has also been cited; but it seems scarce necessary to say, that the nature of the incumbrance there, was such as to preclude it from being deducted from the purchase money. Finally, it has been determined, that the mortgagee may maintain ejectment against the mortgagor; but that is entirely consistent with the principle conceded at the outset, that the mortgagee is the owner, so far as is necessary to enable him to enforce his security. In fact, the only case in which a contrary sentiment has been intimated, is that of *Moliere's*

lessee v. Noe; (4 Dall. 450.) but there the opinion on the particular point to which I allude, was not only an *obiter* one, (for the point did not arise) but that of a bare majority, and it was beside formed at a time when the professional sentiment was in a state of transition. Although now too late to question it in a case like the one supposed, it is hazardous little to say, that if an expression of judicial opinion on it had been delayed a few years, the result would have been different. Besides, the opinion of the chief justice was founded in some degree on a distinct provision of the same act.

So much for judicial decision, by which a mortgage has, with a single exception, been treated as an incumbrance, and the legislature seems to have acted on the same principle as a fundamental one. In the act of 1705, by which the mortgaged premises are subjected to execution, the mortgagee was treated as an incumbrancer, and not as the owner, even at that early day. As an accessory of the former ownership, the equity of redemption, although originally a creature of chancery, was considered to be inherent in the land, even without the existence of a court of equity to protect it; and the estate of the mortgagee, which would, by the terms of the grant, have become absolute by a breach of the condition, continued to be viewed as a contingent one. In truth, the inconvenience of treating the estate as it had stood at law, without a court to give relief on equitable terms, would have been intolerable. Accordingly, the remedy provided was not to enable the mortgagee to foreclose, but to get his money out of the land by a sale or extent, "as in case of other lands sold or delivered by executions for debts or damages." He was thus put exactly on a footing with a judgment creditor; and it is worthy of notice, that the legislature, even then, recognized as applicable to a sale on a mortgage, the principle of judicial sales, subsequently applied in practice to all other cases, by directing that the purchaser hold clear, not only of the equity of redemption, but of all incumbrances whatever; thus disposing of the whole estate at once, instead of the particular interest of the execution creditor. In the act relative to mortgages, passed in 1820, the instrument is treated purely as an incumbrance, its lien being declared to attach, not at the execution of the deed, as it would necessarily have been supposed to do, had it been considered as arising from the vesting of the estate, but from the period of its being entered on record. So, in the acts of 1822 and 1823, the mortgagee is spoken of merely as the holder of a security, and one that may be released in part, or gradually discharged by indorsement of payment, as the instalments become due. These are the earlier and principal acts that seem to bear upon the question. But it is supposed, that a different notion is perceptible in the act of 18th of February, 1824, by which guardians and other trustees are authorized to invest the monies of the trust "in real securities," at such rate of interest as the orphans' court may direct; and hence it is supposed that the securities thus spoken of are mortgages; that the legislature deemed it necessary to the purposes of the trust, that the investment should be permanent; and that to protect it from interference by the other creditors, it must have been considered that the mortgagee had an estate in the land. It seems to me this train of suppositions is entirely gratuitous. If the legislature had intended to designate a mortgage, they would have done so specifically, instead of using a generic term. Beside, there is no reason to impute an intention to restrain the investment to this species of security, when a bond and warrant, or a redeemable ground rent, or a conveyance in trust, with power to sell, would all equally answer the description, and two of them the object supposed to be intended. It cannot be doubted then, that the legislature had no view to the point mooted here. At its last session, however, it must be conceded that the legislature viewed the matter in a light entirely different, and it has been suggested that a due deference to its opinion

requires us to retrace our steps. The act which changed the law laid down in *Willard v. Norris*, was a constitutional exercise of legislative power; and regarding it as furnishing a rule for cases in time to come, it will be executed by this court, in good faith, even to the letter. But we will never consent to attribute judicial authority to a branch of the government, whose province it is to enact the law, and not to administer it; nor surrender the constitutional franchises of the judiciary, by bowing to every intimation of a judicial opinion that may be supposed to proceed from the legislative halls. I, therefore, do not acknowledge the legitimacy of the argument drawn from a supposed intimation of legislative interpretation, that the opinion held by this court in *Willard v. Norris*, was an erroneous one. I admit that a *prospective* intimation by a course of legislation on the basis of a state of things supposed to exist, is a strong evidence that it does not exist, inasmuch as it gives rise to rights founded partly in enactment and partly in usage; but here the existence of the law as settled in *Willard v. Norris*, was taken for granted as the foundation of the act which challenged it, and which was a legislative affirmation of the very fact which it is the purpose of the argument to disprove. All other legislative acts, however, are in unison with the judicial sentiment, that a mortgage is purely an incumbrance.

But to say it to be an incumbrance, it is said to differ from a judgment in this, that it is created directly and expressly by the contract, while the lien of the judgment is the effect of the law; and this is the second principal ground of the argument. Admitting for the present this difference to exist, it is not easy to see what objection it furnishes to the application of the general principle. It is said, that to discharge the incumbrance against the mortgagee's consent, would impair the obligation of the contract. It is obvious, that the argument would not touch the case of a mortgage which is due, inasmuch as payment by the mortgagee, or any one in his place as a purchaser of the equity of redemption, would stand with the very letter of the contract. But, how would it affect the contract, to compel the mortgagee to receive satisfaction even before the day of payment? Even as respects the acts of the legislature, the constitutional inhibition relates only to contracts which exist at the enactment of the law. I believe no one ever doubted the power of the legislature to regulate the obligation of contracts prospectively, or to take it away altogether, as was done some years since, in regard to the contracts of certain unchartered banks. The parties contract subject to the provisions of the law which enter into their stipulations, and thus tacitly become a part of their agreement; and when the law requires that a mortgage be subject to payment, in certain circumstances, before the day, it is as much an original condition of the contract as if it had been expressed in terms. But a decision of the judiciary is so far different from an act of the legislature, that it declares no new law; and consequently can never operate as an *ex post facto*. It merely recognises a rule, so long respected in practice, as to authorise a presumption of its having been adopted originally by common consent, and in that aspect is treated as having been the law from the beginning. Such was the origin and growth of the custom which gives the tenant the way going crop, and impairs the obligation of the contract resulting from its apparent terms, so far as to give the tenant an interest beyond the expiration of his lease. No well advised judge will claim a right of legislation. Independent of the fact that all legislative power is placed by the constitution elsewhere, (a consideration that ought of itself to be decisive) every usurpation of such a right hitherto has proved to be extremely pernicious in its tendency to impair the public confidence in the stability of judicial decision, and subject the rights of the suitors to the prejudices and caprice of the judges. I take it then, that a judicial decision is not to be taken



for an act of legislation; and that if the policy of the law, about which I shall have occasion to speak more particularly, should require the contract of hypothecation to be laid under restriction so far as to expose it to casualties, that are incident to every other species of incumbrance, the constitution interposes no bar. But is the proposition that the lien is a matter of formal and express stipulation founded in fact? By the terms of the contract, the mortgagee is to have not a lien, but an estate; and that he has a lien and not an estate, is as much the *legal effect* of the instrument as lien is the legal effect of a judgment. It must be admitted, however, to be the intent of the parties that the contract shall create a lien, because they know that such will be its legal consequence, and they may therefore be said to stipulate with a view to it. But precisely such is the intent of parties who resort not to a mortgage, but to a judgment with stay of execution. In both cases the object is real security, not by stipulating for it in terms as in the case of recognizance; but by performing an act of which it is in the one case an the other a legal consequence; the difference being that the judgment pledges all the debtor's land within the country, and the mortgage only the lands described in the deed.—For this reason a bond and warrant is thought to be the better security; inasmuch that no creditor in the country accepts a mortgage except the vender of land, who is generally content to rely on the security of the estate with which he has parted.

[TO BE CONTINUED.]

*From the Presbyterian.*  
HISTORY OF

## THE PRESBYTERY OF PHILADELPHIA,

*From its origin, A. D. 1706, to A. D. 1831.*

### NO. IV.

Notwithstanding the peculiar difficulties with which these pioneers had to contend, and to which allusion is made in the preceding letters, their number received an annual accession, and the growth of the infant church became each year more promising. The Philadelphia Presbytery had become so much enlarged in 1716, that at their meeting in September of that year, it was resolved to divide the Presbyteries into four subordinate judicatories, which should be constituent members of an annual Synod to be convened in Philadelphia.—This measure seemed to be dictated as well by convenience, as by a regard to the general interests of the Church; since it must have been almost impracticable, when the facilities for travelling were few, and the members were so restricted in their pecuniary means, to assemble them from several different provinces, as frequently as the interests of the Church might require. The following minute which we insert entire, is the record of this interesting decision, and presents a pleasing picture of the progressive increase of the Presbyterian cause.

*September, 1716.*

"It having pleased Divine Providence so to increase our number, as that, after much deliberation, we judge it may be more serviceable to the interests of religion to divide ourselves into subordinate meetings or Presbyteries, constituting one annually as a Synod, to meet at Philadelphia or elsewhere, to consist of all the members of each subordinate Presbytery, or meeting, for this year at least: Therefore, it is agreed by the Presbytery, after serious deliberation, that the first subordinate meeting or Presbytery do meet at Philadelphia, or elsewhere, as they shall see fit, to consist of these viz:—Messrs. Andrews, Jones, Powell, Orr, Bradner, and Morgan. And the second to meet at New Castle, or elsewhere, as they shall see fit, to consist of these, viz: Messrs. Anderson, McGill, Gillespie, Wotherspoon, Evans and Conn. The third to meet at Snowhill, or elsewhere, to consist of these, viz:—Messrs. Davies, Hampton and Henry. And that in consideration that

only our brethren, McNish and Mr. Pomroy are of our number upon Long Island at present, we earnestly recommend it to them to use their endeavours with the neighbouring brethren that are settled there, which as yet join not with us, to join with them in erecting, a fourth Presbytery. And as to the times of the meetings of the respective Presbyteries, it is ordered that that be left to their own discretion.

"Ordered, that a book be kept by each of the said Presbyteries, containing a record of their proceedings, and that the said book be brought every year to our anniversary Synod, to be revised.

"Appointed, that the first meeting of our said Synod be held at Philadelphia on the 3d Tuesday of September in the year of 1717."\*

From this period until 1733, the succession of events cannot be accurately traced, in consequence of the unfortunate loss both of the Presbyterial and Synodical records. It appears, however from later documents, that during this interval, commotions of a serious nature began to interrupt the harmony which had heretofore existed; and which in the course of a few years, resulted in the unhappy schism of the church. The cause of these dissensions, was not diversity of sentiment on any of the cardinal doctrines of the Gospel, for both parties alike adhered to the Westminster Confession and Catechisms; but a difference of opinion on the propriety of certain new measures, which one party adopted as best calculated for the extension of religion, and which the other condemned, as innovations upon established customs, and tending to disorder and division. Certain members of Synod, lamenting the apparent apathy and formality of professors, and the general inattention to religion, resolved to strike out a new path, and try the effect of a more energetic and alarming mode of preaching. Their intention was commendable, and their principal error consisted in permitting their feelings to obtain the mastery of their judgments. The distinction of parties was that of *Old and New Lights*, and the latter were sometimes designated as the *Brunswick party*, as they principally pertained to the New Brunswick Presbytery. Under the "Old Light" standard were enlisted the most of those who might be termed the rigid Presbyterian; who were tenacious of all the prejudices which characterized the Scotch and Irish schools, and regarded with alarm and jealousy the slight deviation from the precise customs of their forefathers. The "New Light" party, on the contrary, whilst they adopted the Westminster Confession, were less punctilious in the admission of novelties, and were not disposed to admit, that all was sacred which could lay claim to ancient usage. The former required unblemished character, and respectable literary attainments as indispensable qualifications in candidates for the ministry, whilst they appeared remiss in scrutinizing their decided personal piety; the latter in their zeal to secure the qualifications of piety, seemed to regard with too much leniency, if not indifference, the literary deficiency of their candidates. Mutual opposition strengthened the erroneous prejudices, of each party, and for a season threatened to divorce, what should ever be found united in those who minister for God, the sincere devotion of the heart and the cultivation of the mind. It is painful to revert to the embittered spirit with which the controversy was conducted, and the terms of reproach with which the parties

\* In a letter of Synod, A. D. 1718, the following statistics are presented.

"That there are now in number twenty three ordained ministers and three probationers, who all, have agreed to unite their endeavours annually at Philadelphia for spreading and propagating the Gospel of Christ in these dark parts of the world, viz. In the province of New York, the Jerseys, Pennsylvania, and Territories, Maryland and Virginia, in all which, excepting the last, some of the aforesaid ministers do reside."



mutually assailed each other. The "New Lights," who were most highly excited, were perhaps chargeable with the greatest excesses. Those ministers who did not coincide with them in opinion, were accused of unfaithfulness, and stigmatized as carnal and unconverted. Into the congregations of such, itinerant preachers, with a much larger share of zeal than knowledge, were encouraged to intrude, and as a consequence, parties were arrayed; the affections of the people were alienated from their pastors, and congregations were divided, and formed separate worshipping assemblies in the immediate vicinity of each other.\*

For the Register of Pennsylvania.

## THE ALCHEMIST.

No. XXII.

### NATIONAL CELEBRATIONS.

The object of national celebrations of great events is, or ought to be, to keep alive a memory of the occurrences they are intended to commemorate, and to renew the feelings and the spirit of the times which produced them. Under this view of the subject, nothing appears to me more appropriate in a land of liberty like our own, than to continue in a proper spirit the commemoration of those incidents in our career as a nation, which have given birth to our free institutions, or subsequently infused into them new life and vigor. A celebration of the kind to which I refer, seems necessary to fan a flame which otherwise, for the want of some exciting cause, might ultimately expire. National rejoicings, sometimes, connected with religious rites, and sometimes not, have obtained among every people, and would appear from their frequency to owe their origin to an inherent principle of our nature, or to have arisen from analogy to the periodical return of that day which by divine command has been appointed as a day of rest from labor. Having mentioned the Sabbath, I may be permitted to refer to it as an illustration of the advantages of stated periods of celebration; religious or otherwise. Whatever doubts may be entertained in regard to its origin, continuance, or the proper mode of its observance; I believe none differ with respect to its great utility as a mean of promoting the general morality of mankind and its beneficial effects upon what it was undoubtedly instituted to promote—religion. The cares of life, the all-absorbing pursuits of business and ambition, would soon leave no time or thought for higher, though more remote interests, if they were not forced upon the attention of men by the stated recurrence of the season appropriated especially for their cultivation. So with regard to the anniversaries of our Independence, the birth day of the father of his country, and the annual return of that day when our happy constitution was adopted, it is to be feared, that a neglect of the feelings, they are so naturally calculated to inspire, might in the end, be productive of very great injury to our free institutions themselves.

With respect to the last of the periods I referred to, I mean the anniversary of the adoption of our constitution; it appears an unfortunate neglect or oversight, that

\* The Churches of Norriton and Providence, and those of the Great Valley, and Charleston, are examples. At Neshamony the separate houses were in view of each other.

it has never been set apart for public rejoicing. This omission arose, not from any disregard of the eminent importance of the event, or from any want of a perfect conviction of its intimate union with the independence and happiness of our country—far from it; the patriots, who perfected that great work, considered it the consummation of their glorious efforts for the freedom of America; and rightly judged that then alone that independence was secured, when the union of the states was finished. They probably thought that the time would never arrive, when any doubts or cavils could arise upon such a question—but that the constantly increasing benefits, which they clearly saw, would flow from it, would knit still closer the bands which they were the first firmly to tie. I say the omission has been unfortunate, because unhappily the fathers of our liberty, have been deceived in their expectations—whether from this or other causes, the question of union is no longer one, which it is considered almost profanity to discuss: but on the contrary, it is made the theme of speeches and remarks, in and out of congress, at public dinners; and even on the anniversary of our national Independence. It would seem then to be peculiarly proper that at this time, those who entertain ideas which I may be permitted to call orthodox, upon the subject of the union, should direct public attention in a more emphatic manner to it, by a proper celebration of the day of its birth—of that day, when the states of this Northern Continent proclaimed to the world that they stood united in the cause of liberty, and that, side by side, like brothers, they stood to defend and perpetuate it.

An example, not indeed of omission, but of what is worse, perversion of the true end and aim of such celebrations, is to be found in the mode which has obtained for some years of commemorating the Declaration of our Independence as a nation—or rather of using that day for the purposes of party faction, or the gratification of private pique and animosity. The day selected seems peculiarly inappropriate, because it was a time when all Americans thought and acted alike and together; and acted, too, for the common good of the whole country, and not for the advancement of this or that particular interest. All offered but one prayer, and that was for independence. The danger, therefore, to be apprehended from this misapplication of the day is, that its true and legitimate purposes and uses may be utterly forgotten, and the spirit of faction entirely usurp the place of love of country. There appears to me likewise, a want of the perception of the true dignity of the occasion—which ought to raise our minds above the paltry consideration of the success of particular candidates for office, and fix them on the lofty objects which our revolutionary patriots had in their view, seeing that we ought not to suppose that the mere gain of Independence, in the first instance, is every thing, and that, that once effected, further heed of the matter is useless—but that, on the contrary, the securing and perpetuating that Independence is not so easy a task as some may think, and is left to our vigilance and care.

We should, then, on these occasions, offer sacrifice on a common altar. From all quarters of the union

same incense should arise—and we would feel, from a consciousness that in every part of the country a common spirit animated all, as brethren should feel, and not as a divided house. One day of the year, at least would be kept free from the intrusions of party or sectional differences—and would serve in a great degree, to smooth the asperities which they so naturally engender.

It is proper, moreover, to cultivate a national spirit—to infuse into all ranks, young and old, rich and poor, a vivifying and healthful excitement. Demonstrations of rejoicing, indeed, need not be carried to the extent of disturbing public quiet—these excesses are easily restrained, and proceeding from a good spirit are in a great degree pardonable—under any aspect, they are undoubtedly preferable to the coldness, apathy or forgetfulness which are more suited to the chill climate of a despotism, than to the vigorous and healthy soil of a republic.

UMBRA.

From the United States Gazette.

### THOUGHTS ON EMIGRATION.

FROM EUROPE TO THE UNITED STATES.

No. V.

It was upon the sea coast, and along the banks of navigable rivers, that industry first began to diffuse itself, and gradually extended to the interior of the country. In Pennsylvania, the earliest settlements were on the Delaware, extending gradually to the Schuylkill, Susquehanna, Juniata, and Allegheny rivers. The nations that appear to have been the first civilized in the old world, were those on or near the Mediterranean, it being the best calculated for cultivation and trade; and as that great sea, has no tides or waves, except such as are caused by the wind, it was at that remote period of time, when navigation was in its infancy, that that country was selected as the most favourable for settlements. History tells us, that Egypt was the first country where either agriculture or manufactures, were cultivated to any considerable extent. Upper Egypt extends itself only a few miles from the Nile; but in Lower Egypt, that beautiful river breaks itself into a variety of canals, which give an extensive communication between all the great towns and villages in the country. The advantages derived from this inland navigation, were the principal causes of the early improvement of Europe. The same has been the case in China and Bengal, where artificial canals were introduced many centuries ago, but the science those nations possessed of constructing them, was barbarously confined to themselves. The first canal, successfully introduced into England, was finished in the year 1761, (only seventy years ago) through the splendid genius of an engineer by the name of "Brindley," and the indefatigable perseverance of his distinguished employer, the Duke of "Bridgewater." Since then, canals have intersected that country in every direction; and by affording the greatest facilities to agriculture, commerce and manufactures, have greatly enriched the nation! May we not experience equal benefits from our great and extensive works? The efforts of art and industry, are always the most successful, where the convenience of transportation opens to them the commerce of the whole world, *without restraint*; which the improvements in Pennsylvania will soon confer, upon every country in the state, beyond that of any other state in the confederacy.

Rail-roads, canals, and navigable rivers, by diminishing the expense of transportation, place the remote parts of the country nearly upon a level with the commercial districts, on or adjacent to the sea board; and on that account, if on no other, they may be considered the greatest of all improvements. In a country like ours,

where there are vast bodies of unoccupied land, food may always, be produced in the greatest abundance; and as lands are cheap, facilities to convey the produce to market, must tend greatly to increase their value. By a long process of skilful cultivation, the earth may at least reach the limits of its productive powers; but that day is very distant, when that state of things can occur in this country, as it does in some parts of Europe. The increased supply of agricultural products, will always give a stimulus to labor, and add to the number of laborers. When labor is high, the laborer lives comfortably; but when it is low, he has many difficulties to encounter. The demand for land promotes the demand for labor—they move together. As lands are set led and trade increases, labor is in demand and wages high; if, therefore a laborer can transport his labor from an overstocked market to a thriving one, he may always dispose of it to the best advantage; and this shows clearly, that laborers, farmers, and mechanics, may all find employment, and meet with encouragement and success, by emigrating from the crowded population of Europe to the United States, and particularly, as I believe, and am endeavouring to show, to the state of Pennsylvania, which in every respect, is capable of maintaining a large additional population, with the greatest ease and convenience.

Pennsylvania contains about 28,000,000 acres of land, four millions of which may be considered unfit for cultivation, eight millions now in a state of cultivation, and sixteen millions unoccupied. Divide the latter into tracts of one hundred acres each, and allow ten persons to each tract, to which add, a corresponding increase in the towns, say half as much more, and then double the present population of the improved parts, which there is ample room for; the entire population of the state would then be about *five millions*, which Pennsylvania is capable of supporting comfortably and bountifully, leaving an ample surplus of the produce of the soil for foreign exportation.

A pamphlet published in Philadelphia, in 1826, on the subject of emigration from Europe, by Mathew Carey, Esq. one of our most patriotic citizens, was presented to me by that gentleman a few days ago. I have read it with attention, and being pleased with its contents, have made a few extracts therefrom, with which I shall close this number.

"It must be a source of consolation to those descriptions of persons who are more particularly wanted in the United States, that there is probably no country where the same degree of comfort and enjoyment can be procured, by the working classes, with the same degree of exertion. For two day's labor, at twelve hours per day a journeyman at most of the trades carried on in Philadelphia or New York, can procure wholesome, substantial food in sufficient abundance, flesh meat of good quality included, for one week. Is there any other country under the canopy of heaven, of which the same statement can be made to the same extent, and with equal truth?"

Again—"There is scarcely any limit to the number of laborers, who are now and probably will be for twenty years to come, wanted in this country. The spirit of internal improvement, in canals, rail-roads, and turnpikes, is wide awake in every part of the union, and creates a great demand for that class, of which the number of native citizens, bears no proportion to the demand. The Irish laborers are found uncommonly hardy and active, and for years have done a large portion of the work on canals and turnpikes. Their wages are about seventy-five cents per day, or four dollars and a half per week. Their board which includes meat every day, and often twice a day, costs about two dollars, leaving a balance of about two dollars and a half, or 11s. 3d. sterling, which is far more than the whole of their earnings in their own country."

Again—"Journeymen's wages in Philadelphia vary from one dollar to a dollar and a half per day; probably

one dollar and an eighth, or 5s. sterling, is about the average. It may be laid down as a general rule, with few exceptions, that frugal industrious journeymen, unencumbered with families, may save so much of their wages, as in a few years, to be enabled to commence business on their own account on a moderate scale.— Let me add, that there is probably not a person in Philadelphia or New York, beyond the condition of a mere pinner, who cannot afford to eat flesh meat at least once a day; and that a wood sawyer, or common porter, steadily employed, might, by frugality, save from fifty to a hundred dollars per annum. CIVIS.

### TRADE WITH LAKE ERIE.

In the laboured attempts made by some of the New York editors, to prove that our state would derive no material advantage from the completion of her canal to the lake, they but evince the intense anxiety with which the citizens of New York view the progress made in our great work, and the high value which they place upon the trade of the west. That they believe the Pennsylvania canal would, if completed, draw a heavy portion of this trade to Philadelphia, is evident from the earnest panegyrics upon their commercial capital, while the other great marts of our country, and especially Philadelphia, are placed in the back ground. It is admitted on all hands, that the city of New York has some superior local advantages; that more revenue is paid there, and more business transacted, than in any other city in the United States; but doubt whether commercial men will, for these reasons, continue to struggle, hot spring and fall, against natural obstacles, attended with vexatious delays, and expensive consequences, in order to get to New York, after a communication, exempt from such serious objections, is once opened with Philadelphia.

We feel additional confidence, in giving our opinion, that the north-western trade will be secured to the emporium of Pennsylvania, by our canal when finished, from the circumstance, that the western merchants are not altogether so clear and positive in their belief, that "Philadelphia, when all our contemplated schemes are complete, could not furnish goods as early, as low, and pay a price for produce, correspondent with the New York market." Indeed, we know many merchants in this quarter, who are so little capable of appreciating the boasted advantages of New York, that they make their purchases in Philadelphia, ship their goods for Lake Erie, via this same "store-house of America," and the New York canal; incurring thereby an additional expense for transportation.

We take the following article from the Rochester Republican, in relation to the subject before us, that our readers may see the best arguments that can be brought against our canal, by a source well informed, and extremely interested in its failure. The vaunted pre-eminence given to the city of New York by the writer, cannot escape notice. Were his paragraph to fall into the hands of foreigners, unacquainted with the statistics of this country, they would be induced to believe, that there was no other place of business in America.

"*Trade of the Region of the Upper Lakes*—In the speculations of editors respecting what market may hereafter obtain the trade of the upper lakes, there seems to be a good deal of misconception, if not of misrepresentation. The "region," about the trading with which, so much rivalry and contention now brewing, is the parts of Pennsylvania and Ohio bordering on Lake Erie, Michigan and Huron territories, and parts of Indiana and Illinois. The vents to the ocean, through which the surplus agricultural products, furs, peltries, nuts, and the produce of the mines, &c. are the Erie canal and the Mississippi; and (when finished) the Pennsylvania canal, and the Baltimore and Ohio rail-road.

"The ice remained in the east end of Lake Erie this year until the 8th of May. Much stress is laid on this

circumstance. The average departure of the ice, as stated by an inhabitant of Buffalo, is from the 15th April to the 1st May. The Erie canal is generally opened from the 15th to the 20th of April. The Pennsylvania canal (when completed) will not open earlier than the Erie, for several years to come at least, on account of the repairs which a new canal requires, on the return of every spring, until the work becomes permanent. Suppose a merchant, living at Detroit, (and this case will be similar to all others,) to what market would he direct his course?

"Why not to New York?

"The reasons why the Detroit merchant should select New York would be, simply, because New York is the great mart of the union. The manufacturers of cottons and woollens; the dealers in furs, and the manufacturers of that article, and the planters of the south, all have their factors or agents at New York, for there they sell or barter a greater part of their goods or produce. The highest grain market of the union is New York. Why do the millers of Richmond, Baltimore, Alexandria, Philadelphia and Petersburg, send their flour to New York? It is because New York is the best market. The great manufacturers in England, France, and Holland, have all their agents in New York. The packet ships (besides numerous private vessels) engaged in the Liverpool, London and Havre trade, bring new goods, new styles, and new fashions, every week, to the city of New York.

"Admit the ice remains at Buffalo until the last of April; by that time the enterprising Detroit merchant has purchased his goods and transported them to Buffalo, where his vessel meets him laden with produce—his vessel returns with his goods—and the boats return to Albany with his produce. He opens his goods soon after the first of May. Could Philadelphia, Baltimore, or Cincinnati, when all our contemplated schemes are complete, furnish European goods as early, as low, and pay a price for produce correspondent with the New York market?

"New York is earlier than other cities in the fashions, which controul much of the intelligence of the age. It pays three-fourths of the cash, which government receives from the importation of goods. It is the store-house of America, for the produce of the soil—it is the depository of her manufactures—it is the emporium of her trade and commerce."

The story of the Detroit merchant going to New York, before the Buffalo harbour is clear of ice, purchasing his goods, transporting them to Buffalo just in time to meet his vessel loaded with produce, involves too many fortunate coincidences to come within the calculation of a prudent man. Besides, the editor of the Republican ought to know, what no man of business can be ignorant of, that the merchants in the "region of the upper lakes," make their remittances principally in the produce of the country; that they invariably superintend the collecting, preparing, and shipping of the various articles for which they barter their goods, and that they generally prefer making a disposition of the avails in person. It is very rare that a merchant goes to market, who deals in produce, without sending it before, or taking it with him.

As many different statements are afloat as to the average time of the opening of Buffalo harbour, we have, in order to settle that question, procured the following table, showing the exact time when the navigation commenced between Buffalo and this place, during the last twenty-nine years. It was made out by the collector of this port, from official records, kept by himself during the whole period:

1802, May 2,	1807, June 12,
1803, May 11,	1808, May 9,
1804, May 17,	1809, June 5,
1805, April 29,	1810, May 3,
1806, April 24,	1811, April 14,



1812, June 6,	1822, May 16,
1813, } War.	1823, May 4,
1814, }	1824, May 6,
1815, May 13,	1825, Marc. 17,
1816, May 11,	1826, May 4,
1817, May 17,	1827, May 2,
1818, May 13,	1828, April 9,
1819, May 15,	1829, May 3,
1820, May 14,	1830, April 16,
1821, May 14,	1831, May 9,

It is plain from the above, that merchants west of Buffalo, would not be safe in calculating upon setting off with their produce before the 15th of May; which is, indeed, the time usually fixed upon by them. In order to prevent disappointment in their operations, they make all their arrangements so as to be prepared for late navigation; and in this way make uncertainty sure. From this cause, when we have an early spring, and the ice is out of Buffalo harbour by the first of April, the western merchants are unprepared for it, and have to wait until plans can be perfected, that were formed to do away the possibility of disappointment.

We cannot dismiss this subject without recurring to the fact, that a canal, from this place to Philadelphia, would always be open by the first of April, and oftentimes earlier; and that the navigation between this and the ports above, is never obstructed by ice after that time.—*Erie Observer.*

## PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, July 14.

**SELECT COUNCIL.**—A communication from Mr. Cornelius Stevenson, the city Treasurer with his accounts for the last quarter were received and were referred to the committee of accounts.

A communication from the commissioners of Kensington District relative to the introduction of the Schuylkill water was received and referred to the watering committee.

The following communication from the county commissioners was received.

*County Commissioner's Office.*

To the presidents and members of the Select and Common Councils of the city of Philadelphia.

Gentlemen:—The exposed situation of the public buildings on Independence square, and the highly offensive state of the privies on the south side are such as to call for the attention of the proper authorities, to remove the complaint. If councils should deem it proper, the County Commissioners will unite with them in such measures, as may be necessary to promote this desirable object.

With great respect, your obt<sup>d</sup> serv'ts,

JOHN THOMPSON,  
DANIEL THOMAS,  
THOMAS MAGUIRE.

City Commissioners, Philadelphia.

Philadelphia, July 14, 1831.

Mr. Kittera offered the following resolution which was adopted.

Resolved by the Select and Common Councils, that the County Commissioners be authorised to have erected an iron palisade along the rear of the county offices, at such place, and so many gates as shall be considered proper by the committee on State House and Independence square—and that the said commissioners shall have power to cause privies to be built below the surface of the ground and arched over, at such place as shall be designated by said committee. It being understood, however, that the privilege hereby allowed may at any time be withdrawn, and the alterations hereby authorised be removed, at the pleasure of Councils.

A remonstrance against the passage of an ordinance allowing persons to kill the dogs in the streets of the city was received and was referred to the committee on the revised ordinances.

Mr. Massey presented the following petition which was laid on the table.

To the Select and Common Councils of the city of Philadelphia.

The undersigned most respectfully represent that the measure now in contemplation, of M<sup>d</sup>Adamsing Chesnut street from Fifth to Sixth streets, will greatly contribute and probably remedy completely the great inconvenience occasioned by the passing of carriages in the vicinity of the courts of Justice and public meetings to the serious interruption and delay of business. They therefore unite with others of their fellow citizens in expressing their decided approbation of the proposed experiment, and moreover beg leave to suggest the additional advantage of extending the same improvement to Sixth street, between Chesnut and George streets, a quarter still more inconmoded with noise, if possible, than the front of the State House.

Mr. Worrell as Chairman of the committee on the Schuylkill wharves, made the following report, accompanied by the estimate of Mr. Thomas D. Grover.

To the Select and Common Councils of the City of Philadelphia.

The committee to whom was referred a communication from the city commissioners relative to the improvement of Chesnut street wharf at Schuylkill and the city property adjacent thereto, with several petitions and applications for renting the said wharf, beg leave to state, that several plans and views have been suggested to them, but the result of their deliberations has been to pass over at present any alteration as to the Basin so called, but to report, in part, in favour of the immediate improvement of the residue of the front on Schuylkill, containing about 265 feet, the plan of which improvement they herewith submit, together with an estimate of the cost by Thomas D. Grover, amounting to 4,030 dollars for completing the same (exclusive of filling in) and also a proposal for executing the same by measurement. This property is at present unproductive, and may be rendered a valuable improvement, and for which there are several applications to rent—one of 300 dollars per annum, with an additional sum of 6 per cent. for all cost or monies laid out, say 6000 dollars, making 660 dollars. Your committee are fully of the opinion that a rent of 1000 per annum may be obtained for the same when finished. Your committee therefore recommend the adoption of the following resolutions:

Resolved, by the Select and Common Councils, that the plan of improving the city front on Schuylkill north of the Basin, by erecting wharves as submitted by the committee, be adopted.

Resolved, by the authority aforesaid, that the city commissioners be, and they are hereby authorised and directed to cause the front on Schuylkill to be improved according to the proposal in the above resolution, under the direction of the said committee, and that the expense thereof be charged to appropriation No. 14.

Philadelphia, July 11th, 1831.

Gentlemen:—Agreeable to your request I take the liberty of stating to you the probable amount of expenses for erecting two wharves on the river Schuylkill, and repairing the old ones near the Permanent bridge, agreeable to the plan approved of by the Committee; say four thousand and thirty dollars, including wood, iron, stone and labor. Yours, &c.

THOMAS D. GROVER.

JOSEPH WORRELL, Esq. Chairman of Committee.

Mr. Kittera, offered the following resolution which was passed by both Councils.

Resolved by the Select and Common Councils, That the committees on Independence, Washington, and Franklin squares, inquire into the expediency of having fountains erected in all or any of the said squares.

COMMON COUNCILS.—Mr. Barker presented the following petition from the Victuallers, which was refer-



red to the annexed special committee,—Messrs. Leiper, Moss, Lehman, Worrell, Toland and Massey.

To the Select and Common Councils of the city of Philadelphia.

The undersigned victuallers of the city and county of Philadelphia, beg leave to represent to your honorable bodies, that they have long felt as a grievance, seriously affecting their respective vocations—the practice of victuallers and others not inaptly termed “*Shiners*,” under the assumed garb of farmers, occupying stalls in the several markets or stands within the market limits, which by law are exclusively appropriated to the use of “*Farmers bringing to market the produce of their farms*”—and from which *professed victuallers* are by law excluded.

This practice—increased to an alarming extent, and pursued with impunity—presents itself at present, as an evil imperiously calling upon your honorable bodies for prompt and efficient redress. All the prohibitory laws at present existing on the subject, have been in every instance of attempted prosecution, successfully evaded, by offenders sheltering themselves under the *convenient* plea of being “*Farmers*,” and thus by subterfuge avoiding the penalties to which they are justly liable. *Laws whose salutary intentions, can be thus easily evaded, or perverted to purposes manifestly repugnant to their spirit or design—must in themselves be radically defective.*

While your petitioners feel satisfied that there would be great difficulty in specifying particularly *what descriptions* of country produce—or the occupation of *how much land*, should entitle the possessor to the application and privileges of “*a farmer*”—yet they believe it easy to say, *what should not* thus entitle one.

Farmers following in connection the occupation of a victualler, or victuallers following their trade though they may occupy a farm, surely ought not and it is believed never were intended to be considered as *that description* of persons for whom exclusive privileges were granted as farmers.

If a farmer may follow the occupation of a victualler by evasion—or a victualler by like means because he farms perhaps a rod of ground, claim the privileges of a farmer—does it not follow by parity of reasoning—that *either may follow the occupation of a fishmonger* at prohibited stands, because he may have a fishpond on his farm? This may appear as placing the matter in a ludicrous light—but the inference is fair and natural, and it is believed may satisfy the understanding as well as more laboured argument. Each trade or occupation having had its *specific location assigned*—and having been the subject of *distinct legislation*—it seems less reasonable that *no one can at the same time lawfully pursue that of another blended together*—nor at any other place than that specially appointed.

The victuallers as a class, have their particular shambles—the *Jersey men* theirs—*Farmers*—*Truckmen*—*Milkmen* and various others have each their stands fixed by law—the pursuing *either branch of business by one at any other place than that appointed*—or *blending different pursuits together for the purpose of evasion*—IS A VIOLATION OF THE SPIRIT OF THE LAW and usurpation of what is believed to be the vested rights of the other.

Your petitioners, believe, as a class, they contribute more in rents towards the public revenue, than any other attending the markets—they are as necessary to the comfort and convenience of the citizens—that they sustain the reputation of the city in the line of their profession as well, whether quantity, quality, or attention be regarded, and they further believe they claim but their rights when they require full and ample protection in the pursuit of their occupations.

Believing it unnecessary to enlarge, they respectfully ask your honorable bodies to pass a law prohibiting the sale of any Butcher's meat, in less quantities than a quarter, at any other public places within the market limits than at such stalls as are appropriated for victuallers,—and that any *Farmer, Skinner*, or other person

whatever who shall offer, or expose for sale any butcher's meat in less quantities or in any other place or places than are specified and allowed by law, shall forfeit the same, together with such penalty as your wisdom may suggest.

A law embracing a full prohibition of this kind, while it would do injustice to none, would secure your petitioners in the enjoyment of what they consider their rights, and in the end add to the public revenue, by unmasking the disguised victuallers, and forcing them to rent some of the many unoccupied stalls, which through them are now to be seen in the victuallers' shambles,—your petitioners will ever pray, &c.

Mr. Moss presented the subjoined petition from the keepers of Oyster Cellars, which was referred to the committee on revised ordinances.

To the Select and Common Councils of the city of Philadelphia.

The memorial of the subscribers, proprietors and keepers of Oyster Cellars, in the city of Philadelphia respectfully sets forth,—

That by an act of Assembly, passed the 8th day of March, 1823, your honorable bodies are authorised to pass such laws and ordinances as may from time to time be deemed necessary for the good government and control of all persons who may keep Oyster Cellars within the said city.

That no ordinances for the purposes aforesaid, are to be found among the city laws now undergoing a revision by the committee appointed for that purpose.

That establishments for the sale of Oysters have become quite numerous and extensive, affording the means of subsistence to a respectable class of citizens who have invested large sums of money in fitting up the same for the accommodation of the public, that their good government and control is ardently desired by your memorialists, and would be gratifying to their fellow citizens whose convenience would be enhanced by the passage of an ordinance requiring the proprietor of each to procure from the Mayor of the city, on the production of satisfactory evidence of good character, a license for keeping the same under proper regulations; placing the said oyster cellars under the superintendence of the Mayor, and giving him the power of directing the hours at which the same should be closed at night, and of taking away the license in every instance where sufficient proof is made before him of a breach of the regulations, or if the allowance by the proprietor or keeper of any cellar of improper conduct therein.

Your memorialists therefore pray that the attention of the said committee to revise the ordinances, may be directed to this subject, and such a law be prepared and reported by them as will meet the views of the keepers of oyster cellars generally, and the public at large and they as in duty bound will, &c.

Philadelphia, July 12, 1831.

Mr. Baker presented 7 petitions from farmers attending our markets, and other citizens, against the petition of the victuallers, which were referred to the same special committee. The annexed is one of the memorials.

To the Select and Common Councils of the city of Philadelphia.

The memorial of the undersigned, citizens of the said city, in a respectful manner sheweth—

That your memorialists have learned that the Victuallers have applied to your honorable bodies, requesting you to pass an ordinance, prohibiting the Farmers who have stands in the High street market from selling, on their stands, veal and mutton by less quantity than the *quarter*. Your memorialists respectfully represent, that such an Ordinance would place the housekeepers of Philadelphia at the mercy of the Victuallers, and would enable them to demand almost any prices they thought proper to place upon their meats. There is scarcely any family, especially in the warm season, who would wish to buy a whole quarter of meat; and the

prohibition of selling by a less quantity would be equal to a total refusal to allow the article to be sold at all.

Your memorialists respectfully solicit that no such law may be passed.

Mr. Baker as chairman of the committee on markets, made the following report and resolution which were agreed to.

The committee on markets to whom was referred the petition of a number of persons, requesting a stand for Drays in Front street, from Market to Walnut street, report:—

That in their opinion the request of said petition should be granted, and offer the following resolution:

Resolved, that the city commissioners be requested to make a stand for drays from the south side of Market to the north side of Walnut streets, in Delaware Front street.

Mr. Johnson as chairman of the paving committee offered the annexed resolution, which was adopted.

Resolved, by the Select and Common Councils, that the city commissioners be, and they are hereby directed to cause Hoffman's alley, and Starr alley running from Cherry to Sassafras street, between 5th and 6th streets, to be repaved and charge the expense to appropriation No. 1.

Mr. Leiper offered a resolution relative to the death of Mr. Monroe, which on motion of Mr. Johnson was postponed, so that the following resolution might be offered as a substitute, which was passed by the Common Council, but the Select Council had adjourned before it was sent in to them.

Resolved, by the Select and Common Councils, that the inhabitants of this city in common with the American people, and the friends of liberty throughout the world, feel the most profound regret, for the loss of their fellow citizen, James Monroe, Esq. late President of the United States.

Resolved that in testimony of respect to the memory of this departed patriot, the chambers of the Select and Common Councils be hung with black for six months, and that the members of these Councils wear crape on the left arm for the space of 30 days.

The Common Council adjourned to meet again next Thursday evening.—*Phil. Gaz.*

### UNITED STATES BANK.

LETTER FROM MR. MADISON TO C. J. INGERSOLL.

Montpelier, June 25, 1821.

Dear Sir—I have received your friendly letter of the 18th instant. The few lines which answered your former one of the 21st of January last, were written in haste and in bad health; but they expressed, though without the attention in some respects due to the occasion, a dissent from the views of the President, as to a Bank of the United States and a substitute for it, to which I cannot but adhere. The objections to the latter have appeared to me to preponderate greatly over the advantages expected from it, and the constitutionality of the former I still regard as sustained, by the considerations to which I yielded in giving my assent to the existing Bank.

The charge of inconsistency between my objection to the constitutionality of such a bank in 1791, and my assent in 1817, turns on the question, how far legislative precedents, expounding the constitution, ought to guide succeeding legislatures and to overrule individual opinions.

Some obscurity has been thrown over the question, by confounding it with the respect due from one legislature to laws passed by preceding legislatures. But the two cases are essentially different. A constitution being derived from a superior authority, is to be expounded and obeyed, not controlled or varied by the subordinate authority of a legislature. A law, on the other hand, resting on no higher authority than that

possessed by every successive legislature, its expediency, as well as its meaning, is within the scope of the latter.

The case in question, has its true analogy in the obligation arising from judicial expositions of the law on succeeding judges—the constitution being a law to the legislator, as the law is a rule of decision to the judge.

And why are judicial precedents, when formed on due discussion and consideration, and deliberately sanctioned by reviews and repetitions, regarded as of binding influence, or rather of authoritative force, in settling the meaning of a law? It must be answered: first, because it is a reasonable and established axiom, that the good of society requires that the rules of conduct of its members should be certain and known, which would not be the case if any judge, disregarding the decisions of his predecessors, should vary the rule of law according to his individual interpretation of it. *Misera est servitus ubi jus est vagum aut incognitum.* Second, because an exposition of the law publicly made, and repeatedly confirmed by the constituted authority, carries it with, by fair inference, the sanction of those, who, having made the law through their legislative organ, appear under such circumstances to have determined its meaning through their judiciary organ.

Can it be of less consequence, that the meaning of a constitution should be fixed and known, than the meaning of a law should be so? Can indeed a law be fixed in its meaning, and operation, unless the constitution be so? On the contrary, if a particular legislature, differing in the construction of the constitution, from a series of preceding constructions, proceed to act on that difference, they not only introduce uncertainty and instability in the constitution, but in the laws themselves; inasmuch as all laws preceding the new construction, and inconsistent with it, are not only annulled for the future, but virtually pronounced nullities from the beginning.

But it is said, that the legislator having sworn to support the constitution, must support it in his own construction of it, however different from that put on it by his predecessors, or whatever be the consequences of the construction. And is not the judge under the same oath to support the law? yet has it ever been supposed that he was required, or at liberty, to disregard all precedents, however solemnly repeated and regularly observed; and by giving effect to his own abstract and individual opinions, to disturb the established course of practice in the business of the community? Has the wisest and most conscientious judge ever scrupled to acquiesce in decisions, in which he has been overruled by the matured opinions of the majority of his colleagues, and subsequently to conform himself thereto, as to authoritative expositions of the law? And it is not reasonable that the same view of the official oath should be taken by a legislator, acting under the constitution, which is his guide, as is taken by a judge, acting under the law which is his?

There is, in fact, and in common understanding, a necessity of regarding a course of practice, as above characterized, in the light of a legal rule of interpreting a law; and there is a like necessity of considering it a constitutional rule of interpreting a constitution.

That there may be extraordinary and peculiar circumstances, controlling the rule in both cases, may be admitted; but, with such exceptions, the rule will force itself on the practical judgment of the most ardent theorist. He will find it impossible to adhere to, and act officially upon his solitary opinions, as to the meaning of the law or constitution, in opposition to a construction reduced to practice, during a reasonable period of time; more especially, where no prospect existed of a change of construction by the public or its agents. And if a reasonable period of time, marked with the usual sanctions, would not bar the individual prerogative, there could be no limitation to its exercise, although the danger of error must increase, with the increasing oblivion

of explanatory circumstances, and with the continual changes in the import of words and phrases.

Let it then be left to the decision of every intelligent and candid judge, which, on the whole, is most to be relied on for the true and safe construction of a constitution, that which has the uniform sanction of successive legislative bodies, through a period of years, and under the varied ascendancy of parties; or that which depends upon the opinions of every new legislature, heated as it may be by the spirit of party, eager in the pursuit of some favourite object, or led astray by the eloquence and address of popular statesmen, themselves, perhaps, under the influence of the same misleading causes.

It was in conformity with the view here taken, of the respect due to deliberate and reterated precedents, that the Bank of the United States, though on the original question held to be unconstitutional, received the Executive signature in the year 1817. The act originally establishing a Bank, had undergone ample discussions in its passage through the several branches of the government. It had been carried into execution throughout a period of twenty years, with annual legislative recognitions; in one instance, indeed, with a positive ratification of it into a new state; and with the entire acquiescence of all the local authorities, as well as of the nation at large; to all of which may be added, a decreasing prospect of any change in the public opinion, adverse to the constitutionality of such an institution. A veto from the Executive, under these circumstances, with an admission of the expediency, and almost necessity of the measure, would have been a defiance of all the obligations derived from a course of precedents, amounting to the requisite evidence of the national judgment and intention.

It has been contended, that the authority of precedents was, in that case, invalidated by the consideration that they proved only a respect for the stipulated duration of the Bank, with a toleration of it until the law should expire, and by the casting vote given in the Senate, by the Vice President, in the year 1811, against a bill for establishing a National Bank, the vote being expressly given on the ground of unconstitutionality. But if the law itself was unconstitutional, the stipulation was void, and could not be constitutionally fulfilled or tolerated. And as to the negative of the Senate, by the casting vote of the presiding officer, it is a fact, well understood at the time, that it resulted not from an equality of opinions in that assembly, on the power of Congress to establish a Bank, but from a junction of those who admitted the power, but disapproved the plan, with those who denied the power. On a simple question of constitutionality, there was a decided majority in favour of it.

MR. INGERSOLL.

JAMES MADISON.

### VENANGO COUNTY.

We have thought, to many of our distant readers a description of our county would not be uninteresting, and with this view have drawn up the following hasty sketch.

Venango county was organized for judicial purposes by an act of assembly passed the 1st April, 1805, having been previously surveyed out of parts of Allegheny and Lycoming counties under the authority of another act passed the 12th day of March, 1800. Its length from east to west is 38 miles, and its breadth from north to south 29 miles. It is bounded on the west by Mercer county, on the north west by Crawford, on the north by Warren, on the east by Jefferson and on the south by Armstrong and Butler. The first settlements in this county commenced about the year 1796 and '97, under the general land law for the sale of the vacant lands belonging to the commonwealth west of the river Allegheny of 3d April, 1792. The settlements were scarce for a number of years, owing principally to the

difficulties which arose out of the conflicting constructions of this last act, but have been for the last few years rapidly increasing, both in extent and value. Its population according to the census taken in 1800 was 1180—in 1810, 3060—in 1820, 4915 and in 1830, 9469. The tide of emigration is now very rapid to this county, and its population is extensively increasing in various sections. Our increase in the northern townships is principally from New York and the eastern states, and in the eastern and southern townships, from the east—and are generally settled by an industrious and thrifty population of German descent. In all parts of our county we have an enterprising and active population, emigrants (and their descendants) from the famed "Emerald Isle." Our population upon the whole is a mixed one, from all quarters of the civilized world, and of almost every "tongue and kindred."

There are four furnaces, a bloomery, and two forges, which have been in operation four or five years, at which a great quantity of pig metal and cast iron, blooms and bar iron are annually manufactured and sent to market. There are a great many saw mills, at which, large quantities of the best of lumber is made and sent down the river in the freshets in the fall and spring, to supply the country bordering on the Ohio below. Although there are considerable ranges of rough, hilly and broken land, not strictly mountainous, in the neighborhood of our large streams of water and on the dividing ridges, yet a very large portion of our land is fertile, and what may be called good farming land; much of it quite productive, and a considerable portion well calculated for raising stock. The timber is various—in the neighborhood of most of the streams are large forests of lofty pine timber, out of which great quantities of lumber are manufactured. The face of the county is generally covered with a mixture of oak, hickory, sugar tree, walnut, cherry, ash and chestnut. There are yet large bodies of land of an excellent quality unsettled, and offered for sale at various prices from \$1 to \$4 per acre. All our hills abound with iron ore, in every direction, of an excellent quality, so that they may be said, to be bedded on it. Limestone is found in large bodies in Scrubgrass, Richland and Beaver townships, and in small quantities in other parts of the county. Bituminous stone coal is plenty in the southern part of the county, nearly as high up as French creek, and some has been found on that stream, and within two or three miles of Franklin, and it is confidently believed will be found in large beds in the hills that surround our borough.

A great advantage possessed by this county, is its valuable and pure water, and as a necessary consequence, *health*. The Allegheny river, not excelled for beauty and purity by any stream in the world, and navigable for steam boats of the Blanchard construction more than 100 miles above this place, enters it diagonally near the north east corner, running near a south west course, until it receives French-creek on the west, when it changes its direction until it receives the Clarion river, when it leaves Venango and sets into Armstrong, dividing the county nearly in two equal parts. On the east side of the river, near the upper end of the county, Tionesta creek, a large beautiful stream enters—on the same side come in Horse creek, Hickory creek, Hemlock and East Sandy creek, and on the southern verge of the county Clarion river, all permanent streams, on all of which are valuable scites for water-works, and several of them navigable for rafts, and boats for many miles into the country. On the west side, it receives Pithole creek near the north side of the county, Oil-creek, navigable for forty miles from its mouth, French creek, navigable for more than fifty miles, on which is now about to be made a division of the direct line of the Pennsylvania canal from Philadelphia to the great inland seas of the north west, Sandy creek and Little Scrubgrass creek. The whole face of the country is interspersed with springs and brooks of the purest



water, which abound with trout, as the largest streams do with bass, pike, salmon, catfish, &c.

The Susquehanna and Waterford turnpike road passes diagonally through the county nearly in a north west direction, crosses the Allegheny river immediately below the town of Franklin, and French-creek on a good bridge immediately above. Along this road large droves of cattle are taken during the summer season from this and the neighbouring counties, and the western part of the state of Ohio.

Franklin is the county town, and was laid out in about 700 lots, by commissioners appointed under an act of Assembly of the 18th April, 1795. It is situated immediately below the mouth of French creek on the west side of the Allegheny river. It contains a little rising of 400 inhabitants, and is now rapidly improving. It contains a stone court-house and jail, an Episcopal church built of brick, and a Presbyterian church of frame. The Stage runs through it three times a week with the mail, and six mails arrive weekly on horse-back.

Venango county belongs to the sixth Judicial District, Shippen President, and the courts are held on the fourth Monday of February, May, August and November.

Did room permit we would pursue our sketch further. Perhaps we may resume it at another time.—*Democrat.*

#### NORTH WESTERN PENNSYLVANIA.

Having been recently visited by the Chief Magistrate of the commonwealth, accompanied by other respectable public functionaries, the occasion may be deemed a seasonable one to awaken the attention of our eastern fellow citizens, who design emigrating to the west, to the advantages of a location in this section of the commonwealth.

Guided by an enlightened forecast, the eastern emigrant will not fail to perceive in the general and local character of this region, advances unequalled by any other section of country in the west. It is rich in soil, clothed with a luxuriant and valuable timber and abounds with diversified and permanent streams of living water, yielding abundant sites for manufacturing purposes. To these important advantages may be added its mineral wealth. Venango county is literally paved with iron ore and mineral coal. Favorable indications of ore and coal have also been found in Crawford.—But it is believed the most extensive mass of the former, of the bog kind, yet discovered, exists in Erie county, near the line of canal, from Elk creek to Erie. This ore is now transported into the state of Ohio, a considerable distance, to supply furnaces there, whose ore banks have failed. The want of suitable water power, in the vicinity of this ore, we believe, has hitherto prevented the erection of works. But should the Elk creek route of the canal be adopted, passing as it would, in the immediate neighborhood of these ore banks, a presumption exists, from the immense leakage required at or near this point, sufficient water might be had from the canal, to bring this highly valuable, but now useless mineral, into useful requisition, and thereby open an extensive field for investment, which could not fail to administer to the enterprize and wealth of the surrounding country.

To these advantages may be added, the great facilities, and choice of market which will be presented to us whenever the Pennsylvania line of communication, now in progress, shall be extended to lake Erie. We shall then have opened to us the markets of Philadelphia, New York, Montreal and New Orleans, each accessible at about the same cost. Enjoying then, as this region does, all the advantages of a fertile soil, salubrious climate, powerful waterfall and mineral wealth, with the certainty of the choice of four of the best markets on the American continent, for its products, what

other position, we would ask, can the enterprising and enlightened emigrant find, in the west, more inviting with a view to the investment of capital, or that yields greater promise of health, happiness and general prosperity.—*Messenger.* D.

#### LANCASTER COUNTY.

This county was separated from Chester, May 10th, 1729. As was naturally to be expected, a difference of opinion existed as to the location of the seat of justice.

Officers were made from Wright's Ferry, Postlewaites, &c. The Ferry was strongly recommended, but the opposition from the east was irresistible, the inhabitants of that quarter demanding a central situation. Two miles from the Ferry a building was erected to be used as a jail in case a selection was made in its vicinity.

As Postlewaites appeared to combine most of the qualifications, it was chosen, and a jail and temporary court-house were erected.

Governor Hamilton aware of the division in the public mind which still existed, made an offer of two places, one known as the "high plain," also by the name of "Gibson's pasture" and since by "Sanderson's pasture" (at present the property of John Montgomery, Esq.) The other situation was the hill side extending from its summit on the east to Roaring Brook on the west, covered with wood. The public road ran through it, and Gibson's house of entertainment would be included, which stood nearly opposite, a fine spring communicating with the dark swamp and the widow Buchanan's cake and beer house, situated near where the road crossed the brook. There were several springs, and the brook was thought peculiarly favourable for the erection of water machinery. This spot was fixed upon, and the plot of Lancaster made in 1730, in regular squares, open lots were reserved in the centre, and adjoining the public square, for the court-house, public offices, market, &c. The long swamp (which ran in the rear of the houses now owned and occupied by Colonel George Mayer and Dr. Du Fresne) was drained by a ditch cut into Roaring Brook. The court-house was completed in 1737, but the seat of justice was removed in 1734 to Lancaster, from Postlewaites. The springs no longer run, but a pump in Mr. Rathfon's is placed in one at a short depth and which yields water of an excellent quality and contains an abundant supply. It is thought that with a little expense water could be obtained from four or five such sources as would supply our whole city for every purpose that might possibly be required.—*Miscellany.*

INVESTIGATOR.

#### THE LATE RAINS.

GREAT FRESNET.—On Wednesday night last, (6th July) the rain fell in such torrents, as to cause the Brandywine to overflow its banks to an extent seldom witnessed. When we saw it on Thursday morning, it had fallen three or four feet, but still presented to the eye a vast sheet of water, sweeping away every thing in its course. The gardens and fields contiguous were completely overflowed, and even the houses were threatened by the resistless element. Mr. Dougherty's *shantee*, a short distance below town, was found about midnight to have sprung a leak. A man with his wife and child occupied a room in one end; towards midnight the child became restless, and the father thinking to quiet it with a drink, sprung from his bed for the purpose of getting one; his consternation may easily be imagined, when, instead of alighting on a dry floor, he found himself in nearly three feet water.—Fire! Water! Murder! were shouted most vociferously, and the sleepy tenants of the shantees awoke to the true sense of their situation—the horses were taken from their stalls, and tied three or four hundred yards off, out of the reach of danger, and the necessary precaution taken by the hands to secure their effects. A flock of about 40 sheep,



belonging to Mr. Parke, were swept from their pasture ground and carried a distance of more than a quarter of a mile down the stream: one of them was drowned and five others yet missing, are supposed to have met a similar fate. Fences we should suppose, were swept away most unsparringly, as we saw rails floating down the current, nearly the whole of Thursday. The waters abated about meridian, and by the same time on Friday, had returned to their natural channel. We apprehend much damage has been done above and below, though we have not heard of any. The old adage "it's an ill wind that blows nobody good," was most happily illustrated in this instance—as the water receded, fish of a large size and fine flavor, were left, much against their inclinations, no doubt, upon dry land, where they were found by some of our citizens, who acknowledged the courtesy of the waves, thus to deliver up their inhabitants, and had their unresisting prey transferred, forthwith, to the fryingpan, from whence they were brought to the table "a dish for gods to fast upon."

The above was written on Friday afternoon; about half past four o'clock on Saturday afternoon, it commenced raining, and for three-quarters of an hour descended in torrents; the flood which we have attempted to describe above, was, in comparison with the one which succeeded the last rain, as a rivulet to a river,—houses which had escaped the former, and which were not considered within the reach of any fresher, were surrounded with water; every thing which would float, and was not secured at a personal risk, was carried off,—cellars were filled, and their contents, so rapid and unexpected was the rise, either entirely ruined, or so much injured as to be of little service,—butter, meat, milk, bread, &c. suffered severely in the general wreck,—the bridge below town was carried off, and every fence within the circuit of the flood swept away. Several grain fields in this neighborhood were completely inundated, and we fear the grain ruined, for the long continued rain had injured it much, previous to the flood. Immense losses must have been sustained by those whose farms or dwellings are situated on the borders of the Brandywine, Beaver and Valley creeks.

*Chester Co. Democrat.*

**GREAT FRESHET**—We have been favoured with a perusal of a letter from a highly respectable source dated Blairsville, July 9th, 1831, and permitted to take from it the following extract:—

"We have had the greatest rise in our waters which we have ever had since the Bridge was built—It has done considerable damage to the canal. It has carried off from 100 to 150 feet of Leek's dam (out of the centre of it) which will require two months to repair; it has carried off the small aqueduct over Stony run, and the Turnpike Bridge over the same at Bane's mill, together with the mill dam, and Lindleys' saw mill and the tow path Bridge at McGees run; and the remaining injury done is at Bolivar; a large embankment at the mouth of Tub mill creek was swept off together with a stone house, and a family in it, all of whom perished.—The family consisted of a man his wife and two children by the name of Mills, who was in the employ of Wilson Knot as a superintendent under him, and whose loss is generally deplored. One of the children has been found in the head of the lock; none of the other bodies have yet been found.—*Lewistown Eagle.*

CHAMBERSBURG, July 2.

**ANOTHER FRESHET.**—On Tuesday last, we were visited with a fresher, but little inferior in magnitude to that which occurred on the previous Thursday night. Dark clouds were observed in the afternoon—rising in the north and south—about three o'clock they united, and poured a deluge of rain upon this and the neighbourhood at the head of the Falling Spring—that stream, a short time before night, again rose to an astonishing height, overflowing the gardens, and other low grounds

on its borders, and flooding the cellars and lower stories of several houses. Had not the paper mill dam, fences, and other obstructions, been removed by the former flood; and the arches of the bridge, on the main street, been kept clear of drift wood, &c. there is little doubt but the damage in town would have been as great as on Thursday night; but we are happy to state, that the only serious injury done in the borough, on this occasion, was that sustained by the paper mill, the galle end of which was undermined, and partly washed away, by the torrent which rushed down the falls.

The late floods have shown, conclusively, that the two bridges over the Falling Spring, in this borough, are entirely too small; that on every considerable rise of the stream, they must, as they did on these occasions, obstruct the water, and be the cause of much damage to private property. In justice, however, to those who planned and directed the erection of these bridges, it is proper to state, that the oldest inhabitants of Chambersburg, have no recollection of the Falling Spring ever before rising so high.

Owing to the great quantity of water in the earth, many cellars, besides those inundated by the late floods, have water in them; they ought to be immediately cleaned, aired, and well limed; and all deposits of vegetable matter carefully removed from the yards, gardens, alleys and streets, which have been overflowed. The future health of the citizens of the borough, may depend upon a proper attention to these matters, and the owners of property, and our town authorities, will doubtless feel it their duty to see to it in time.—*Repository.*

**THE CHAMBERSBURG FLOOD.**—The following additional particulars are from a letter from an intelligent gentleman resident of the place; they exhibit a state of alarm, and destruction of property, perhaps, unprecedented in any part of Pennsylvania.—*National Gaz.*

"Dear Sir—On Thursday night, we had a most awful visitation. The windows of heaven opened, and poured on our smiling, luxuriant valley, dreadful destruction. Never, in the recollection of any of our residents, did such a rain fall. I was awakened about twelve o'clock, by the ringing of alarm bells and shouting; and what a scene presented itself. My house was completely flooded. I carried my wife, and Mr. F. the children, about a square, through water, rushing like a sea, three feet deep. The water in the yard and kitchen was about three feet deep, and in the parlours and store about eighteen inches. I was obliged to break out part of the kitchen wall, to give the water a passage; otherwise the house, a substantial brick one, would have been torn down. Had not a dam above given way, which gave the water a free passage into the creek, we should inevitably have lost all our furniture and house. You cannot conceive the destruction it has caused. Where the stream from the spring crosses the Baltimore turnpike, at J. Stouffer's mill, it tore bridge, it tore dam, turnpike, and all before it. The road, in that direction, was impassable until the erection of a temporary bridge. Nearly all the dams on the creek are swept off in toto.

"Stones, supposed to weigh one ton, are lodged on the second floor of Poutz's mill! Hay, grain, corn-fields, hog-pens, corn, hogs, trees, and waste timber of every description, were borne like corks by the torrent. A tanner, a few lots above me, lost, it is supposed, to the amount of \$1500. All the fences, grape vines, &c. about my yard, are swept off as clean as if they had never had existed. Our carpets are much injured. What the consequence of the great deposit of filth in our cellars will be, it is impossible to say—they smell horribly. I have not time to add more."

We learn that the loss is not less than \$40,000.

**THE FRESHET.**—It has been a number of years since we witnessed so copious and almost incessant a fall of rain, as that which commenced on Wednesday, (13th inst.) and terminated on Saturday last. The small

streams in this vicinity, have very much swollen, and have carried away almost every thing before them. Bridges, dams, water-wheels, fences, and we have been informed even of a frame saw manufactory, which was started, but lodged against a large water-wheel. The Wissahiccon has not been so high for several years, and has inundated all the low lands. The Schuylkill has risen six or eight feet, and has carried away considerable property by the overflowing of its banks. A manufacturer at Manayunk, we understand, has had something like a thousand dollars worth of cloth, and part of his manufactory, carried off. The large grist-mill opposite Manayunk, has sustained considerable damage from the swollen state of the river. Almost every mill and manufactory of which we have heard, has sustained more or less injury: and the crops of grain, which our farmers had just commenced cutting when the wet weather set in, are considerably damaged; and that which had been cut, almost destroyed. Fortunately, the hay-harvest was well nigh completed, and tolerable crops have been secured.

The accounts we have received from different parts of the country, generally speak of the unfavourable condition of the grain crops, occasioned by the late heavy rains.

It cleared up quite cool, however, on Saturday night last, and the weather has every appearance of continuing settled for some time.

A correspondent writes thus, in regard to the late heavy rains.

"The water rose higher in the creeks, just before daylight, on Wednesday morning—breaking through numerous dams. The rain gauges all run over; but a neighbour, on whose word I can rely, had placed two empty vessels in a situation to mark the exact fall during the night, Wednesday.) The more shallow of the two, ran over; and the other measured in the morning, exactly 5½ inches. This quantity is not more than half, probably which has fallen within the four days it rained. The rain has done much injury to the grain, and disappointed the hopes of the husbandmen."—*German. Tel.*

**THE WEATHER.**—For two weeks, we have had an unusual proportion of wet weather. The rain that has fallen in that period, is estimated at 12 inches. The harvest, a very light one, has suffered in many places, very seriously. On the night of the 6th, the water came down in torrents; and it is believed, to the depth of 6 inches. The damages on the mill streams, are immense; and of all the mills in this vicinity, none wholly escaped injury, though to some it is not material. The Messrs. Lindley's, and Wister and Fisher's have each a large dam swept away, and otherwise much injured. Large stones, weighing a ton or more, were carried down the stream. The damage below, towards Frankford, we learn, has been very great.—*Id.*

#### WEST CHESTER, July 1.

**FRESHET.**—During the last week we were visited with several very heavy rains. On Saturday afternoon it fell in such copious torrents, that the Brandywine rose more than five feet perpendicular in half an hour, and continued to swell until it overflowed all the adjoining meadow, and much that has heretofore been considered high land. The stream was in some places half a mile wide. The loss occasioned along the shores to the farmers, is very great: cultivated fields have been stripped of fencing; numerous crops of wheat, barley, corn, rye, oats, and hay, which beautified the borderland, have been levelled with the ground. Such as was standing is buried in the mud; and the flood has relieved the farmer of the pleasant toil of gathering that which was cut. Several bridges have been carried away.—*American Rep.*

#### BLOOMFIELD, (Pa.) July 7.

For the last eight or ten days, we have had continued

showers of rain. Much of the clover and timothy grass has been cut down during this time, and we are informed that a great deal of it is so much damaged, that it is fit for nothing but the dung yard. Should the weather continue showery, we fear there will be a melancholy prospect for the wheat and rye crops; as we are told by some of our farmers, that the wheat, in particular, is already taking the second growth on the stalk. Very little grain has as yet been cut, and, perhaps, none put up in this county. The continued lowering aspect of the weather is truly alarming to the industrious farmer, and the community at large.—*Perry Forester.*

#### HUNTINGDON, July 6.

The late wet weather has destroyed a vast deal of hay, throughout this county. We have had very little clear weather for the past two weeks; in consequence of which, harvest will be much later than usual.

#### COLUMBIA, July 7.

The Conewingo Dam, near the head of the Susquehanna canal, about 33 miles below this place, was washed away on Sunday last, 15 feet below the level of the canal, which was also considerably injured and broken. The tavern and another house on the river, a short distance below the dam, were damaged and carried away in part by the flood.

#### BELLEFOUNTE, Centre Co. July 7.

In this section of the country rain has fallen for the last twelve days. The consequence is, a large amount of hay has been totally destroyed. On the other hand, the corn and potatoes are thriving most wonderfully, and bid fair to more than make up the loss sustained otherwise by the wet weather.

Our farmers say that the wheat crop will be short of the usual yield.

#### NORRISTOWN, (Pa.) July 12.

**GREAT FRESHET.**—The immense quantity of rain which fell during the last week, caused serious damage in this part of the country. On Wednesday night last, two dams in Stony creek, one about a mile above this borough, known by the name of "Standbridge's dam," and the other nearly opposite the borough belonging to Mr. Jacob Freedly, were entirely destroyed. Seven or eight thousand shingles, designed for the grist mill now being erected by Mr. Freedly, were swept away by the water, the sudden rise of which precluded any attempt to save them. The embankment between Mr. Freedly's race and Schuylkill, a short distance below his saw-mill, also gave way and a number of valuable logs were lost. Some of our farmers, too, must have sustained considerable loss, as a large number of sheaves of grain, were seen floating down the river Schuylkill, opposite this place, on Thursday last.

It rained twenty-three days in last month, and its depth was 5.93 inches—a quantity quite unusual.

It has been raining every day, more or less, since the beginning of this month, up to the present date, July 10.—*Leligh Pioneer.*

**Our Harbour.**—Since the construction of the piers, at the entrance of the harbour, by which a deep and safe channel has been formed, the water of the lake has been gradually wearing away the neck of the peninsula, at the head of the basin, and has at length formed a channel seven and a half feet in depth. Several schooners, and the steam-boat Sheldon Thompson, have passed through. We understand it is staked out, and that vessels can pass either way with safety. Vessels bound up or down, touching at our wharves, will save about six miles sailing, by passing through the new channel. As it is still wearing, we may expect there will be water enough, shortly, for the largest craft that sails the lake.—*Erie Observer.*

## TEMPERANCE.

PHILADELPHIA, July 16th, 1831.

Sir—Your note of yesterday, to which I now have the honour to reply, expresses a wish to obtain information in relation to the use of ardent spirits, in supplying subjects for our prisons, and requests of me to submit my observations, as an officer of the Walnut Street Penitentiary. This subject is one which has long engaged my attention, and has demanded of me much inquiry. All my investigation goes to prove, that ardent spirits is the most powerful agent in producing crime, and is the prolific source of nearly all the evils of which society has to complain. My official station makes it necessary, at times, to examine into the history of the lives of those who are brought under my notice, and it is my practice to put questions touching their nurture, education, and habits. In a vast majority of cases, the use of intoxicating liquors has been, either in themselves, their parents, or guardians, the primary cause of their moral degradation. The very frequent answer to the question of what induced the commission of the immediate crime for which they were suffering, is, "*I was in liquor, sir—in bad company—and knew not what I was about.*"

It very rarely occurs, that an individual passes out of prison, and his degraded state made apparent by the contrast of the society he leaves, with that which he is about to meet, without feeling a wish to amend his life, or without declaring such to be his intention. My earnest advice to them, on these occasions, is to eschew the rum cup, impressing upon them, that while they remember the privations they have undergone, and the privileges they have thrown away, they will avoid becoming obnoxious to the law. But the facilities are so great, and the temptation so strong; and these, too, backed by the importunities of their falsely hospitable friends, that the exciting draught is again indulged, reason is dethroned, and vice and folly assume their reign.

There are some individuals in our establishment, who have been frequent sufferers by the law, and yet who show themselves possessed of innate honesty, which almost renders their criminality a paradox. Two strong cases of this kind, are more immediately in my mind's eye. They were never known to be guilty of a crime while sober. One has been quoted in a pamphlet on prisons, and has been held up as *an example and a dread* to evil doers, as having had the misfortune to have eaten *twenty Christmas dinners in Walnut Street Prison*. This is true, and yet all the offences of this man were committed under the excitement of ebriety. His sentences were generally short, but his propensity for liquor always procured him a re-conviction within the year; and he thus was enabled to eat his twenty Christmas dinners within the walls of this prison. While in confinement, he frequently held posts of trust and responsibility, affording him means of procuring him small gratifications, could he have been induced to connive at the villainy of others. He was never known to betray his trust, or to break his word. His fidelity was proverbial.

The frequency of this man's conviction has made his case a strong one, and I have used it as illustrative of the position I have assumed. He died in prison!

*Murder, manslaughter, rape and arson, can in almost every instance, be traced to the influence of ardent spirits; and I may say that the only exceptions to this malign influence, in the commission of crime, are perhaps in a few cases of forgery, robbery and burglary; these being crimes requiring such self-possession in the operators as is incompatible with the indulgence of the bottle.—The high handed villain, whose schemes take a bold range, is calm and philosophical, specious in appearance and manners, seldom communicative, and always wary; and generally unwilling to hazard the garrulity incident to the "wet damnation."*

I am borne out in these opinions, which present circumstances compel me to be general in noticing, by the various statistical details which I have been called upon,

from time to time to make; and I regret that they would involve so much labour to reproduce them as would not suit your present purposes, and my avocations. I would willingly be more circumstantial, but such information as I have here presented is the result of seven years observation, and agreeable to my honest and firm convictions.

Wishing every success to the efforts now making to arrest the progress of intemperance and crime, and gratified at being thus humbly instrumental in furthering the important work which has called forth the exercise of your philanthropy, and that of the society over which you preside,

Remain, with great respect,

Your most obedient,

WM. M. HOOD.

To ROBERTS VAUX, Esq. President of the Pennsylvania Society for Discouraging the Use of Ardent Spirits.

## LAW OF PENNSYLVANIA.

*An act relative to the liens of Mechanics and others*

Section 1. That from and after the passage of this act, all claims filed or entered in pursuance of the act to which this is a further supplement, within six months after performing the work or furnishing the materials, shall continue to bind the buildings or dwelling houses against which the same are entered for the term of five years from the day of filing the same; and no claim so as afore-said filed shall bind any building or dwelling house for a longer period than five years from the day of filing the same, unless within that time the person who has filed the same, his executors, administrators or assigns shall issue a scire facias thereon.

Section 2. That in all cases where any claim or claims has or have been filed, or shall hereafter be filed, the legal or equitable owner or owners of the buildings or dwelling houses bound thereby, or any person interested, may apply to the court on the proper docket of which the same is or are filed by petition, setting forth the facts; which said court shall order an issue to be formed and tried to ascertain if any and what sum is due upon such claim or claims, and shall have power to make orders in relation to such issue, and the mode of trying the same and the costs thereof as fully as any court of equity might or could do in relation to any issue ordered by such court of equity.

Section 3. That in all cases where the amount of any claim filed has been paid and satisfied, and no satisfaction entered on the record thereof, the legal or equitable owner or owners of the building or dwelling house or dwelling houses bound by the same, may, in order to have satisfaction entered on the record, proceed against the persons filing such claim, his executors, administrators and assigns, in the same manner, and shall have the rights and remedies provided for defendants and purchasers of real property, by the fourteenth section of the act of assembly of this commonwealth, entitled "an act to establish the judicial courts of this commonwealth, in conformity to the alterations and amendments in the constitution," passed the thirteenth day of April, 1791.

And whereas, it sometimes happens that several houses and other buildings adjoining each other are erected by the same owner, so that it is impossible for the person who has found and provided materials for the same to specify, in his claim filed, the particular house or other buildings for which the several items of his demand were so found and provided: And whereas, doubts have arisen as to the true construction in such case of the laws of this commonwealth. Therefore,

Section 4. That it shall and may be lawful in every such case, for the person so binding and providing materials as aforesaid, for two or more adjoining houses and the buildings built by the same person, owner of the same and debtor for the said materials, to file with his claim thereon an apportionment of the amount of the same among the said houses and other buildings, and



each of the said houses and other buildings shall be subject to the payment of its said apportioned share of the debt contracted in the same manner as is provided by law in other cases.

Approved, March 30, 1831.

### CITY EXCHANGE.

At a meeting of the subscribers to the stock for a contemplated Exchange in the city of Philadelphia, held agreeable to public notice, on the 19th day of July 1831, at the Merchants' Coffee House, THOMAS P. COPE, was called to the chair, and Alexander Ferguson appointed Secretary.

The committee appointed at a former meeting submitted a report, which, having been read by the Chairman, was adopted by the meeting.

Mathew L. Bevan, Esq. submitted the following resolutions, which, after having been separately read and considered were adopted.

*Resolved*, That this meeting proceed to the appointment of five trustees, who or the survivors of whom shall receive and hold in trust for the Stockholders, the real estate which it will be necessary to purchase for the location of the exchange, until the requisite act of incorporation can be obtained, when the said trustees, or the survivors of them, shall convey the property to the company so incorporated.

*Resolved*, That a Board of managers be now appointed, to consist of nine members, who shall elect a president, secretary, and treasurer.

*Resolved*, That it shall be the duty of this board to determine what percentage of the stock subscribed shall be called in, and at what periods to call in and receive such instalments, to purchase the property, and to adopt plans for the building, subject to the revision of the Stockholders, at a meeting hereafter to be called for that purpose, when such further measures shall be determined on as may be deemed best for the construction of the contemplated edifice.

It was on motion *Resolved*, that the meeting proceed to the appointment of trustees, when the following gentlemen were proposed and regularly appointed:

Stephen Girard, Robert Ralston, Jos. P. Norris, James C. Fisher, and Joshua Longstreth.

It was on motion *Resolved*, that a board of managers be now appointed, when the following gentlemen having been proposed, were declared duly elected, Samuel Comly, John Siter, jr. Alexander Ferguson, Ashbel G. Ralston, William D. Lewis, John A. Brown, Samuel Grant, William Platt and J. Solms.

It was on motion *Resolved*, that the board of Managers, shall have the power to fill all vacancies that may occur in their own body.

On motion adjourned.

THOMAS P. COPE, Chairman.

ALEXANDER FERGUSON, Secretary.

### A LIST OF THE ENGINE & HOSE COMPANIES OF PHILAD'A.

ENGINE COMPANIES.

*Assistance*—Race, between Fifth and Sixth streets.  
*Columbia*—Eighth, between Race and Vine.  
*Delaware*—Hartung's Alley.  
*Diligent*—Filbert, between Tenth and Eleventh.  
*Fairmount*—Ridge Road, between Vine and Callowhill.  
*Federal*—Third, between Tammany and Green.  
*Franklin*—Catherine, between Third and Fourth.  
*Friendship*—Coates, corner of Ann.  
*Good Intent*—Public Square, Kensington.  
*Good Will*—Race, corner of Juniper.  
*Globe*—Near Globe Mill, Kensington.  
*Hand in Hand*—Cherry, between Third and Fourth.  
*Harmony*—Seventh, between Cherry and Race.  
*Hibernia*—Dock, above Second.  
*Hope*—Pine, between Sixth and Seventh.  
*Humane*—Callowhill, between Second and Third.  
*N. Liberty*—Second, between Willow and Noble.

*Pennsylvania*—Fifth, between Chestnut and Library.

*Philadelphia*—Crown, between Race and Vine.

*Reliance*—New, between Second and Third.

*Relief*—Twelfth, between Market and Chestnut.

*Resolution*—Do. do. do. do.

*Southwark*—Second, between Queen and Christian.

*Washington*—Lombard, between Ninth and Tenth.

*Weccaco*—Second, between Queen and Christian.

*United States*—Fourth, between Wood and Callowhill.

*Vigilant*—Race, between Front and Second.

HOSE COMPANIES.

*Columbia*—Seventh, between Cherry and Race streets.

*Diligent*—Ridge Road, between Vine and Callowhill.

*Fame*—Fifth, between Chestnut and Library.

*Good Intent*—Fourth, between Chestnut and Walnut.

*Hope*—Corner of Second and Pine.

*Humane*—Ann, between Vine and Wood.

*Neptune*—Vine, between Fourth and Fifth.

*Northern Liberty*—

*Niagara*—Third, between Catherine and Queen.

*Philadelphia*—Seventh, corner of Sugar Alley.

*Phoenix*—Zane street.

*Resolution*—Fifth, between Market and Arch.

*Southwark*—Corner of Second and South.

*Washington*—Tenth, between Arch and Filbert.

*William Penn*—Public Square, Kensington.

*United States*—Old York Road, between Tammany and Green. [Am. Daily Ad.

### FLOUR AND MEAL.

Inspection of Flour and Meal in the Port of Philadelphia for the quarter ending 30th June, 1831, compared with same period last year:

	1831.	1830.
Superfine Flour, barrels,	177,132	135,551
Do do half barrels,	8,311	8,744
Scraped, barrels,	11,841	10,732
Do half barrels,	204	342
Condemned, barrels,	6,474	3,719
Rye Flour, do	15,762	7,610
Condemned, do	59	6
Middl'gs, do	1,595	786
Corn Meal, hds.,	3,483	3,407
Do barrels,	8,253	8,919
Do condemned barrels,		33

[Philadelphia Price Current.

## THE REGISTER.

JULY 23, 1831.

Considerable excitement has prevailed during the past week, in consequence of a determination of the Victuallers, to withhold their usual supply of animal food. The grounds of complaint will be found in their memorial to councils, published in the present number. Since Saturday last, but one regular butcher has attended in the market, and the other stands have presented a melancholy spectacle of desertion; notwithstanding, the citizens have not suffered—a plentiful supply having been furnished the market by the country people—the memorial was referred to a committee of Councils, who on Thursday evening last reported that it was not advisable for Councils to interfere. The report will be furnished at length, with the proceedings next week, and appears to give general satisfaction to the public.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 5.      PHILADELPHIA, JULY 30, 1831.      NO. 187.

## COMPARATIVE VIEWS OF THE POPULATION OF THE CITY AND COUNTY OF PHILADELPHIA.

Various methods have been adopted by different nations, to ascertain the number of inhabitants, but none appears to be so certain, as that of actual enumeration—this mode was, therefore, adopted at the organization of our government, and a census has been since regularly taken at each successive period of ten years. Had these been uniformly made, they would have served, not only their primary purpose—that of forming a representative ratio—but also as a basis on which to erect numerous other interesting, and important calculations. But, unfortunately, this not having been attended to, there is scarcely any point of comparison between any two of the four, which have as yet been made—in each one a different classification of ages being adopted. Although the division of the last census is, upon the whole, the best, still, owing to the coloured population being arranged under ages differing from those of the whites, many comparative views cannot be taken, which would be interesting in regard to those two classes.

Owing to the time allotted for taking the census—the incompetence of some of the persons employed—the low price paid for the time and services devoted to it—it is highly probable, there may be material errors; yet, as they may be as favourable as otherwise, and as we have no other means of approximating to the truth, we have made them the foundation of the calculations which are this day presented to our readers, in reference to the population of the city and county of Philadelphia.

Few subjects are of more interest to a state, than its population. The number of inhabitants indicating always a flourishing condition of the means of support, as well as of those necessary to carry on its agriculture, manufactures, and commerce, and to defend itself against any hostile force. It is therefore useful, when a census is taken, to make comparative views of the past and present condition of the population, in order to ascertain, whether it be in a progressive or languishing condition, and to trace the causes of the one or the other. In this country, facts upon this subject are deficient; and it is only by collecting, and arranging them, for a series of years, that any fixed theory can be confidently derived from them. The rules adopted in foreign, and older countries, where the population has become permanent, will not suit the meridian of a new country, which is receiving into its bosom the inhabitants of every other portion of the globe. We must, therefore, form new

rules for ourselves, derived from the facts within our own reach.

The following calculations and statements have required much time and labour; and, after all, some errors may be discovered in them—though we have endeavoured to guard against them—and, perhaps, some of our deductions may be erroneous. In all such cases, we shall be happy to receive corrections. We have given the facts pretty much in detail, believing that they will be more generally serviceable to those who may wish to make other uses of the information; and, to such as have any fondness for similar investigations, we know, they will be the more acceptable on that account. Others of our readers, will find them perhaps tedious; but we will endeavour to compensate them at another time.

Our present view is confined to the city and county of Philadelphia. We may, hereafter, make some comparisons of the other portions of the state. But we would be happy, if some of our friends would furnish us with statements, of this kind, relative to towns, or particular districts, throughout the state.

COMPARATIVE CENSUS TABLE.

	1790.	1800.	1810	1820.	1830.
North's Liberties	....	16970	21538	21488	31376
Spring Garden,	....		....	3498	11141
Penn Township,	....		3798	3105	2507
Kensington,	....		....	7118	13336
Total N. suburbs,	....	16970	23356	35209	58350
Southwark East,	....	4883	7264		10361
Do. West	....	4738	6443	14713	10379
Moyamensing,	....	1392	2887	3963	6822
Passyunk,	....	884	992	1638	1441
Total S. suburbs,	....	12097	17586	20314	29003
Total suburbs,	13998	29067	42942	55523	87353
City,	28522	41220	53722	63802	80458
Total city & sub.	42520	70287	96664	119335	167811
Blockley, -	....	....	1618	2655	3401
Bristol, -	....	....	965	1257	1425
Byberry, -	....	....	765	876	1018
Frankford, -	....	....	1233	1405	1637
Germantown,	....	....	4243	4311	4642
Kinrossing, -	....	....	903	1188	1068
Lower Dublin,	....	....	2194	2640	2705
Moreland, -	....	....	400	443	418
Oxford, -	....	....	973	1315	1502
Roxborough, -	....	....	1252	1682	3334
Total rest of co.	11871	10722	14546	17772	2115
Total city & conn.	54391	81009	111210	137097	188961

## GENERAL VIEW.

According to the census of 1830, there were in the city and county of Philadelphia, persons of every description, 188,961  
 According to the census of 1820, there were 137,097

Making an increase in ten years of 51,864

Being at the rate of 37.83 per cent.; or, 3.25 per cent. per annum—doubling in every 21.61 years.

The number of inhabitants in the CITY in 1830, 80,458  
 Do. do. do. 1820, 63,802

Increase in ten years, 16,656

Or, at the rate of 26.10 per cent.—per annum 2.34—doubling in 29.89 years.

Number of inhabitants in the DISTRICTS in 1830, 87,353  
 Do. do. do. 1820, 55,523

Increase in ten years, 31,830

Or, at the rate of 57.32 per cent.—4.62 per annum—doubling in 15.30 years.

In the rest of the COUNTY, there were in 1830, 21,150  
 Do. 1820, 17,772

Increase in ten years, 3,378

Or, at the rate of 19.96 per cent.—per annum 1.76—doubling in 39.86 years.

## The increase in the CITY

From 1790 to 1800 was 12,668, or 44.37 per cent.

1800 1810 12,502, 50.33

1810 1820 10,080, 18.76

1820 1830 16,656, 26.10

City increase in 40 years, 51,906, or 181.80 per cent.

Or, 2.62 per annum—doubling in 26.77 years.

## The WHITE inhabitants in the CITY and COUNTY

In 1830 were - - - 173,245

1820\* - - - 123,746

Increase in ten years, - - 49,599

Or, 40.08 per centum—3.42 per annum—doubling in 20.56 years.

## The FREE COLOURED inhabitants in the CITY and COUNTY

In 1830 were - - - 15,616

1820 - - - 11,884

Total increase, - - - 3,732

Or, 31.41 per centum—2.76 per annum—doubling in 25.38 years.

## In the CITY and COUNTY there were

In 1820 - - - 2210 ALIENS not naturalized.

1830 - - - 4179 do.

Increase, - - - 1969, or 89.09 per centum!

Doubling in 10.88 years!! 6.58 per annum.

\* In this year, 1203 persons not taxed, and 3 slaves, are noticed in the census, which we exclude from our calculation, hereafter, as their sex and colour are unknown.

In 1820 there were engaged in Agriculture 3435 persons  
 Do. Commerce 3733  
 Do. Manufac. 11832

## DENSENESS OF POPULATION IN THE CITY.

We do not know, that any attempt has ever before been made to show the denseness of population of the city; or, in other words, the number of inhabitants to a given number of square feet. For this purpose, we have constructed the following table; which will enable the reader to form some idea upon the subject. It will be evident to every one who reflects, that perfect accuracy respecting it cannot be expected—as, in order to it, every foot of ground that is occupied by a dwelling and inhabitants must be known. In the formation of this table, we have taken the dimensions, of the different squares, from the table published in our fifth volume, page 320. The space occupied by the principal streets is excluded; but that devoted to the smaller streets and alleys—as well as that which is occupied by churches and other public buildings, and also public squares and other open grounds—are all embraced in the calculation.

In 1800, the city was divided into fourteen wards—containing in the plot from Vine to South, and from river to river, 50,141,410 square feet. From east to west, the city was divided into two parts; of which Fourth street was the dividing line—at which, the eastern wards terminated, and the western wards commenced.

In 1825, this dividing line was removed to Seventh street. The first column of the table, therefore, contains the number of square feet in each ward, from 1800 to 1825; and the apportionments made in the second, third, fourth, fifth, sixth, seventh and eighth columns, are agreeably to that division of the wards.

The ninth column shows the number of square feet in each ward, as existing since 1825—according to which, the subsequent apportionment is made.

The twelfth column shows the value assessed in each ward, at the last triennial period; and the thirteenth gives the assessed value of each square foot.

Without further explanation we submit the table, which, at one view, gives some idea of the different changes which the city has undergone, by the removal of its population from some parts to others, and the occupation of vacant ground from time to time.

As the census of 1790, was taken, previously to the division of the wards, we have, for that year, only given the total population, and the number of square feet to each inhabitant, viz. 1755.

It may be proper here to observe, that when the city and suburbs are spoken of, the limits embraced in the bills of mortality, as nearly as they can be ascertained, are intended. When the increase per annum is given, or the duplication mentioned, it is according to the geometrical ratio at which population augments.

TABLE exhibiting the number of square feet in each Ward—the population at each census from 1790 to 1830—and the number of square feet to each inhabitant in the City.

WARDS.	Square feet in each, from 1800 to 1825	Population in 1790.	Census of 1800.	Square feet to each.	Census of 1810.	Square feet to each.	Census of 1820.	Square feet to each.	Square feet of Wards, according to division in 1825	Census of 1830.	Square feet to each, 1830.	Valuation of 1829 in each Ward.	Value per square foot.
New Market..	1,842,905	Average, 1755 square feet to each inhabitant.	4865	378	5512	334	5389	312	1,754,167	7443	236	\$1,264,469	72
L. Delaware..	985,392		3377	295	3526	279	3237	304	1,672,846	6863	243	1,593,733	95
Pine.....	.....		.....	.....	.....	.....	.....	.....	1,374,416	5540	248	1,257,165	91
U. Delaware..	1,081,194		3067	352	3644	297	3396	318	1,855,486	5763	318	1,261,635	69
Chestnut.....	828,003		2697	307	2732	303	2937	282	1,405,657	4115	341	3,106,572	2 21
Walnut.....	804,052		2169	370	2306	349	2817	283	1,364,997	3428	398	2,240,299	1 64
H. ck.....	1,048,689		2792	375	2764	379	2329	441	1,780,305	4427	402	2,949,362	1 65
D. ck.....	1,317,704		2235	589	2170	607	2415	545	2,236,998	5378	416	1,921,924	83
Total Eastern	7,907,939		21198	373	22654	349	23213	340	13,424,894	42957	313	15,595,159	1 16
North.....	5,600,674	Average, 1755 square feet to each inhabitant.	4126	1357	5363	1044	6020	930	4,869,039	5796	840	1,711,745	35
S. Mulberry ..	5,262,624		4396	1145	6169	853	6298	836	4,575,168	5364	853	1,069,534	23
Locust.....	7,037,389		2355	2988	4155	1694	7463	943	6,118,095	7117	859	1,635,472	27
N. Mulberry..	5,774,268		2285	2527	3606	1601	5696	1133	5,019,976	5804	865	716,918	14
Middle.....	4,422,066		1850	2390	2681	1649	3475	1272	3,844,412	3632	1039	1,357,545	35
South.....	4,294,155		1232	3485	2430	1767	3338	1288	3,733,210	3467	1077	1,467,345	39
Cedar.....	9,842,295		3578	2750	6664	1477	8904	1105	8,556,596	6321	1354	629,068	7
Total Western	42,233,471		20022	2109	31068	1359	40589	1038	36,716,516	37501	979	8,607,627	25
Total City...	50,141,410	28552	41250	1216	53722	933	63802	786	50,141,410	80458	623	24,202,786	48

From this table it appears, that  
In 1790 there was 1 person to every 1755 square feet.

1800	1	1216
1810	1	933
1820	1	786
1830	1	623

So that, in the forty years, the number of square feet to each individual has been reduced 1132 throughout the City plot.

The EASTERN WARDS		
In 1800 contained	21198 inhab'ts, and	373 sq. ft. to each.
1810	22654	349
1820	23213	340
1830	42957	313

The WESTERN WARDS		
In 1800 contained	20022 inhab., and	2109 sq ft, to each.
1810	31068	1359
1820	40589	1038
1830	57501	979

By taking from Dock ward Washington square, 291,600 square feet, it will leave 361 square feet to each inhabitant, instead of 416.

Take the same dimensions, for Rittenhouse square, from Upper Delaware ward, it will give 216, instead of 319 feet for each inhabitant.

If 186,825 square feet, the dimensions of Independence square, be deducted from Walnut ward, it will leave 345, instead of 398.

Take the vacant Hospital lot 187,407, and the same for the vacant lot between the Hospital and Alms-house, from Cedar ward, it will leave 1294, instead of 1354 feet.

By a late list of the Churches, it appears, they occupy 310,181½ square feet, and the numerous burying grounds much more space. In the western wards, there remains much unoccupied ground; and in some of the eastern wards, there are a number of vacant lots, but as we do not pretend to be exact to a foot in our calculations, it is unnecessary to point them out.

#### NUMBER OF INHABITANTS TO EACH HOUSE.

As the number of houses has not been taken very recently, we have no certain method of arriving at the number of inhabitants to each house. In 1793, there was an enumeration, made by a committee of citizens, during the yellow fever, which gave the following result:

North of Market street,	2244 houses,	13649 inhabitants.
South of do.	1978	12497
Total,	4222	26146

The former averaged 6.09 inhabitants to each; and the latter 6.07—the whole city and suburbs, averaged 6.348, and houses 6327. In 1810, according to Paxton's Directory, there were 8874 dwelling-houses, and 53,722 inhabitants, being an average of 6.07 to each. In the city and suburbs there were 15,814 dwellings and 96,664 inhabitants, which gives 6.11 inhabitants. David g the present number of inhabitants, in the city and suburbs, 167,811, by 6, it will give 27,968 dwelling-houses.

The following statement will show the increase of buildings:

In 1793 there were	6327 houses.
1802	11200
Increase in 9 years,	4873

Being an average of new dwellings, yearly erected, 541.

In 1805 there were 13461, being an increase of 2261, erected in the three years from 1802, or a yearly average of 251. In 1802 there were 464 houses erected.

1803	385
In 1810 there were	15814 houses.
1805	13461

Increase in 5 years, 2353, or annually 471.

According to the estimate above, there were  
 In 1830 - 27985 dwelling-houses.  
 1810 - 15814

Increase in 20 years, 12171, or an average of 608 ann.

In the 57 years from 1793 to 1850, the buildings have increased 21662; or, an average of 585 new buildings each year of the whole series.

### INCREASE AND RELATIVE PROPORTIONS OF THE SEXES.

#### WHITE POPULATION.

In the City and County there were

Years.	Males.	Females.	Excess.	Males.	Females.
In 1790	25382	26520	1138, or	100	104.48.
1800	37056	37073	17,	100	100.04.
1810	49632	51056	1424,	100	102.87.
1820	58866	64880	6014,	100	110.21.
1830	83536	89809	6273,	100	107.50.

Increase from	Males.	Per cent.	Females.	Per cent.
1790 to 1800	11674	45.99	10553	39.79.
1800 1810	12576	33.93	13983	37.71.
1810 1820	9234	18.60	13844	27.07.
1820 1830	24670	41.91	24929	58.42.

The whole increase of whites, in the 40 years, was 121,413—viz. males 58,154, females 63,289, or 233.98 per cent., or per annum 3.06—doubling in 22.99 years. The males increased, during the same time, 229.11 per cent., or 3.02 per annum; and the females 238.64 per cent., or 3.09 per annum.

In the CITY there were

	Males.	Females.	Excess.	Proportion.
				Males Females.
In 1790	13009	13883	874	100 to 106.78.
1800	18624	18331	— 293	100 98.42.
1810	23240	24128	888	100 103.82.
1820	25785	29232	3447	100 113.37.
1830	33031	37619	4588	100 113.89.

Increase from	Males.	Per cent.	Females.	Per cent.
1790 to 1800	5615	43.19	4448	32.03.
1800 1810	4616	24.78	5797	31.62.
1810 1820	2545	10.95	5104	21.15.
1820 1830	7246	28.10	8387	28.69.

Total increase in the City from 1790 to 1830, 40 years, was 20022 males; or 154.00 per cent., or 2.40 per annum—23736 females; or 170.97 per cent. or 2.52 per annum.

In the SUBURBS there were

	Males.	Females.	Excess.	Males.	Females.
In 1790	6595	6955	360, or	100	105.46.
1800	13122	13786	664,	100	105.06.
1810	17604	18217	613,	100	103.47.
1820	24826	27061	2235,	100	109.00.
1830	40507	41991	1484,	100	103.66.

Increase from	Males.	Per cent.	Females.	Per cent.
1790 to 1800	6527	98.97	6831	98.21.
1800 1810	4482	34.15	4431	32.14.
1810 1820	7222	41.02	8844	48.54.
1820 1830	15681	63.16	14930	55.17.

Total increase within the suburbs in 40 years, from 1790 to 1830, was 33912 males; or 514.20 per cent., or 4.63 per annum—33036 females; or 503.74 per cent., or 4.59 per annum.

In the COUNTY there were

	Males.	Females.	Excess.	Proportion.
				Males Females.
In 1790	5778	5682	96	100 to 98.33.
1800	5310	4956	354	100 93.33.
1810	8788	8711	77	100 99.12.
1820	8255	8587	— 332,	100 104.02.
1830	9998	10199	— 201,	100 102.21.

From 1790 to 1800, there was a decrease of 468 males, or 8.10 per cent.—726 females, or 12.77 per cent.

From 1800 to 1810, there was an increase of 5478 males, or 65.49 per cent.—3755 females, or 75.74 per cent.  
 From 1810 to 1820, there was a decrease of 533 males, or 6.06 per cent.—124 females, or 1.42 per cent.

From 1820 to 1830, there was an increase of 1743 males, or 21.11 per cent.—1612 females, or 18.77 per cent.

Total increase in the County 4220 males; or 73.03 per cent., or 1.38 per annum—4517 females; or 79.40 per cent., or 1.47 per annum.

#### COLORRED POPULATION.

The census of 1790, 1800, and 1810, do not designate this portion of the population; except under the general heads of "other persons not taxed" and "slaves;" we are, therefore, compelled to pass over it with merely observing, that there were in the City and County,

In 1790	2102 not taxed and 387 slaves.
1800	6795 85
1810	10514 8
1820	1450 7

In the CITY and COUNTY there were free col'd persons

	Males.	Females.	Excess.	Males.	Females.
In 1820	5217	6667	1450, or	100	127.80.
1830	6792	8803	2011,	100	129.60.

Increase in 10 years 1575 males; or 30.19 per cent., or 2.62 per annum—2136 females; or 32.03 per cent. or 2.84 per annum. Total increase of both sexes 3711, or 31.22 per cent.

In the CITY there were

	Males.	Females.	Excess.	Males.	Females.
In 1820	3156	4423	1267, or	100	140.11.
1830	4025	5771	1746,	100	143.37.

Increase from 1820 to 1830, 869 males; or 27.50 per cent., or 2.41 per annum—1348 females; or 30.56 per cent., or 2.66 per annum.

In the SUBURBS there were

	Males.	Females.	Excess.	Males.	Females.
In 1820	1706	1925	219, or	100	112.84.
1830	2282	2564	282,	100	112.35.

Increase in 10 years 576 males; or 33.76 per cent., or 2.95 per annum—639 females; or 33.19 per cent., or 2.91 per annum.

In the COUNTY there were

	Males.	Females.	Excess.	Males.	Fem.
In 1820	555	319	36, or	100	89.86.
1830	485	468	17,	100	96.49.

Increase in 10 years 130 males; or 36.62 per cent. or 3.16 per annum—149 females; or 46.70 per cent., or 3.91 per annum.

In the CITY and COUNTY there were

In 1820 for every 100 free col'd males	127.80 females,
1830	100 129.60
In 1820 for every 100 white males	110.21 females,
1830	100 107.50

### PROPORTIONS AS TO AGES.

#### WHITE POPULATION.

The census of 1790, specifies only two periods respecting the males, viz. those under 16, and those above it; it does not designate the ages of the females at all.

In the CITY and SUBURBS

There were 8244 white males under 16, and  
 11360 above 16,

19604 white males, and 20838 females.



Those males under 16, amounted to 42.05 per cent. of the whole number of males; and those above 16, amounted to 57.91 per cent. of the whole. The males bore the proportion to the females of 100 to 106.29.

In the rest of the County  
There were 2652 males under 16, and  
3126 above 16.

5778 males, and 5682 fem. ages not given.

Or 100 males to 98.33 females.

Those males under 16, were 45.89 per cent. of the whole number; and those above 16, 54.11 per cent.

*Under 10 years—in the City and County.*

In 1800 there were 10400 males and 10613 females.

1810	14575	14396
1820	18176	17692
1830	23745	23011

Increase from	Males.	Per cent.	Females.	Per cent.
1800 to 1810	4175	40.14	3783	35.64.
1810 1820	3601	24.70	3296	22.89.
1820 1830	5569	30.64	5319	30.06.

Increase of males in the 30 years 13545; or 128.31 per cent. or 2.74 per annum— and 12398 females; or 116.82 per cent. or 2.65 per annum.

In 1800 excess of females	213, or 100 males to 102 fem.
1810	males 179, 100 98.77
1820	484, 100 97.33
1830	734, 100 96.91

*From 10 to 16 years—in the City and County.*

In 1800 there were	4736 males, 4863 females, 127 excess
1810	6644 6987 343
1820	8099 9191 1092
1830*	9271 9793 522

[\* In 1830, the ages are from 10 to 15 years.]

Increase from	Males.	Per cent.	Females.	Per cent.
1800 to 1810	1908	40.29	2124	43.68.
1810 1820	1455	21.90	2204	30.11.
1820 1830	1172	14.47	602	6.55.

Increase of males in 30 years 4535; or 95.75 per cent. or 2.27 per annum—4930 females; or 101.38 per cent. or 2.32 per annum.

In 1800 excess of females	127 or 100 males to 102.68 fem.
1810	343 100 105.16
1820	1092 100 113.48
1830	522 100 105.63

*The whole White population under 16 years of age.*  
Excess.

In	Males.	Females.	Males.	Females.
1790	10896	—	—	—
1800	15136	15476	—	340
1810	21219	21383	—	164
1820	26275	26883	—	608
1830	35016	32804	212	—

Increase from	Males.	Per cent.	Females.	Per cent.
1790 to 1800	4240	38.91	—	—
1800 1810	6083	40.18	5907	38.16.
1810 1820	5056	25.71	5500	25.72.
1820 1830	6741	25.73	5921	22.02.

Increase for 40 years 22120 males; or 203.01 per cent. or 2.81 per annum—17328 females (30 years increase); or 111.96 per cent. or 2.53 per annum.

In 1800 excess under	Females.	Males.	Females.
16	340 or 100 to	102.24.	—
1810	16 164 100	100.77.	—
1820	16 608 100	102.31.	—
1830	16 mal. 212 100	99.36.	—

*Between 16 and 26 years of age.*

In 1800	7722 males	8339 females	617 excess.
1810	16798	11835	1067
1820	11829	14358	2529
1830*	27693	36640	2747

[\* Between 15 and 30 years.]

Increase from	Males.	Per cent.	Females.	Per cent.
1800 to 1810	3076	39.83	3496	41.91.
1810 1820	1031	9.54	2523	21.32.
1820 *1830	16064	133.80	16.82	113.40.

[\* Between 15 and 30 years.]

The increase for 30 years was 20171 males; or 261.22 per cent. or 4.37 per annum—22301 females; or 267.43 per cent. or 4.43 per annum.

In 1800 excess of 617 females or 100 males to 108 fem.

1810	1037	100	109.64
1820	2529	100	121.37
1830	2747	100	109.86

*Between 26 and 45 years.*

In 1800	9445 males	8347 fem.	1098 males	— fem
1810	11787	11396	391	—
1820	14051	15367	—	1316
1830	17195	18627	—	1432

Increase from	Males.	Per cent.	Females.	Per cent.
1800 to 1810	2342	24.79	3049	36.52.
1810 1820	2264	19.20	3971	34.84.
1820 1830	3144	22.57	3260	21.21.

Increase of males in the 30 years 7750 males; or 82.05 per cent. or 2.02 per annum—10280 females; or 123.16 per cent. or 2.69 per annum.

In 1800 excess of 1098 males or 100 males to 88.37 fem.

1810	391	100	96.78
1820	1316 fem. or 100	109.36	—
1830	1432	100	108.32

*Upwards of 45 years.*

In 1800	4753 males	451 females	158 excess fem.
1810	5828	6442	614
1820	6711	8272	1561
1830*	5432	7738	2306

[\* Upwards of 50 years.]

Increase from	Males.	Per cent.	Females.	Per cent.
1800 to 1810	1075	22.62	1531	31.17.
1810 1820	883	15.15	1820	28.40.

From 1820 to 1830, there appears to have been a decrease of 1279 males; or 19.05 per centum—534 females; or 6.45 per cent. (Upwards of 50 years of age.)

Increase in the 20 years, from 1800 to 1820, 1958 males; or 41.19 per cent. or 1.86 per annum—3361 females; or 68.43 per cent. or 2.65 per annum.

Increase in the 30 years, from 1800 to 1830, 679 males; or 14.28 per cent. or 0.446 per annum—2827 females; or 57.56 per cent. or 1.53 per annum.

In 1800 excess of 158 females or 100 males to 103.32 fem.

1810	614	100	110.52
1820	1561	100	123.26
1830	2306	100	142.45

From the preceding statements it appears that in 1790, the male white inhabitants in the city and suburbs, under 16, were in proportion to the whole white population, as 1 to 2.37, and that in the rest of the county it was 1 to 2.18—those above 16 in city and suburbs, were as 1 to 1.71, county 1 to 1.85—that the males of all ages were to the females of all ages, in city and suburbs, as 100 to 106.29 females, county 100 to 98.33—that under 10 years of age in 1800, there was an excess of females, and that at every other census the males at that

age were considerably in excess,—that the males increased in the 30 years from 1800 to 1830, 128.31 or 2.74, per cent. per annum, and the females, 116.82 or 2.65 annually—that from 1800 to 1810, there was a more rapid increase of both sexes, than at the subsequent period—and that from 1810 to 1820, there was a considerable decrease in the ratio—and in the next period the ratio advanced about 5 per cent on the males, and about 7 per cent. on the females. In 1800, the proportion of the sexes under 10, was 100 males to 102 females, and in 1830, 100 males to 96.91 females.

*Between the ages of 10 and 16.*—the males increased from 1800 to 1830, 95.75; or 2.27 per annum—while the females increased 101.38, or 2.32—in 1800, the males were as 100 to 102.68, females, and in 1820, they were as 100 to 113.43, and in 1830—100 to 105.63—the males having increased from 1800 to 1810, at the rate of 40.29 per cent., and the females, 43.68, while from 1820 to 1830, the former increased only 14.47 per cent. and the latter only 6.55.

Of the whole white population under 16 years, the excess was constantly in favour of the females, from 1800 to 1820, or 100 males to 102 females,—from 1820 to 1830, there were males 100 to 99 females.

*Between the ages of 16 and 26,* at all the periods the excess is in favour of the females, being in 1800 as 100 males to 108 females, and in 1830 as 100 to 109.86—at this period of life the census of 1830 shows a remarkable increase of the population—from 1800 to 1810, the

increase of males was 39.83 per cent. and females 41.91; in 1810 to 1820, only 9.54 for the males and 21.32 for the females—while in the next ten years, viz, from 1820 to 1830, the males increased 135.80, and the females 113.40, probably caused by the addition of emigrants between these ages; the increase of the whole 30 years was 261.22 per cent. for the males, or 4.37 annually, and 267.43 per cent. or 4.43 annually for the females.

*Between 26 and 45*—the census of 1800 and of 1810 show an excess in favour of the males, in the other two periods it was in favour of the females—being in 1800, 100 males to 88.37 females, in 1810, 100 to 96.78, in 1820, 100 to 109.36, and in 1830, 108.32, the whole increase in 30 years 82.05 for males, or annually 2.02, females, 123.16 or annually 2.69

*From 45 years and upward,* the excess is always on the side of the females; in 1800 it was only 158, in 1850 it is 2306, or in 1800, 100 males to 103.52 females—and in 1830, 100 males to 142.45 females.

The following table exhibits several views of the white population of the city and county according to the census of 1830.

The first column shows the numbers and sexes at the different ages, and the second gives the proportion of the sexes to each other; the 3d column exhibits the proportion of each sex at the different ages, to the whole number of each sex; the 4th column furnishes the relative proportion of the whole white population at each age.

AGES.	Population of whites in the city and county according to census of 1830, at the different periods of life.			Proportion of each sex, at each age.		Proportion of each sex, at the respective ages, to the whole number of that sex.		Proportion of the whole at each age, to the white pop. of city and county
	Males.	Fem.	Total.	Males.	Females.	Males.	Females.	
Under 5 years of age.....	12941	12414	25355	100	95.92	1 to 6.45	1 to 7.24	1 to 6.83
From 5 to 10.....	10814	10597	21401		98.08	7.73	8.47	8.09
10 to 15.....	9271	979	19064		105.63	9.01	9.17	9.09
15 to 20.....	10346	1136	21652		109.28	8.07	7.94	8.00
20 to 30.....	17547	19334	36881		110.12	4.75	4.64	4.70
30 to 40.....	11063	11897	22960		107.53	7.53	7.54	7.54
40 to 50.....	6132	6730	12862		109.75	13.62	13.34	13.47
50 to 60.....	3112	4968	7180		130.72	26.84	22.07	24.14
60 to 70.....	1573	2394	3967		152.19	53.10	37.31	43.69
70 to 80.....	551	961	1512		174.41	151.60	93.45	14.64
80 to 90.....	167	268	435		160.48	500.21	333.1	398.54
90 to 100.....	26	40	66		155.84	3212.92	2245.22	2626.43
100 and upwards.....	3	7	10		233.33	27845.00	12829.85	17334.50
	83,536	89,809	173,345		107.50			

From this table it appears that the proportion of the males to the females, was an average of 100 of the former to 107.50 of the latter—that at the first two periods, there was an excess of males—that from 10 to 30 there is a regularly increasing excess of females, which again diminishes between the ages of 30 and 40, and then again rises between 40 and 50—from 50 to 60 the excess of females becomes very considerable and rapidly increases till between 70 and 80—from this period until 90 and 100, there is a gradual decrease, but beyond 100 years, the population becomes as 100 males to 233.33

females, thus showing that from the period of 50 years longevity is very much in favour of the females—especially, in the latter periods of life. The whole number of the males beyond 50, is 5432 or 1 to 15.37 of the whole number of males; 7738 females, or 1 to 11.60 of the whole number of females—the two together being 7.59 per cent. of the whole white population upwards of 50 years of age. Beyond the age of 70, there are only 747 males or 1 to 111.83, of the 83,536 males, and only 1276 females or 1 to 70.37, of the 89,809 females, or 2023 of both sexes beyond the age of 70 years, being

only about 1.16 per cent. of the whole white population.

#### AGES OF COLOURED POPULATION OF CITY AND COUNTY.

Previous to the census of 1820, the ages of this class are not given. The census of 1790, 1800 and 1810, did not distinguish the coloured from other persons not taxed. We have, therefore, no points of comparison beyond 1820.

In 1820, there were				
Under 14 years	1813 males	1814 fem.	1	excess.
From 14 to 26	1030	1844	814	
26 45	1746	2181	435	
45 and upwards	628	828	200	
Total,	5217	6667		

At the age of 14, the males and females were equal—while that of whites at 16 (the nearest analogous age), was in favour of the females from 5 to 13 per centum. The number, *under 14*, of males to the whole number of males, was as 1 to 2.82, and females as 1 to 3.67, and to the whole coloured population as 1 to 3.30.

Between 14 and 26, the males were 100 to 179.03 females—the proportion of the whites, *from 16 to 23*, was 100 to 109.86, excepting in 1820, when it was 100 to 121.37. The proportion of those, between 14 and 26, to the whole of each sex, was as 1 to 5.16 for males—and 1 to 6.47 for females—and to the whole coloured population, as 1 to 4.17.

From 26 to 45, there were males 100 to 124.91 females—proportion of whites at those ages 100 to 109.36. The proportion to the whole of each sex 1 to 3.45 for

males—1 to 3.05 for females—and to the whole population as 1 to 3.05.

At 45 and upwards, there were 100 males to 131.85 females—the whites, at same ages, 100 to 123.26. The proportions to the whole sex as 1 to 8.46 for males—1 to 8.05 for females—and to the whole population as 1 to 8.23.

In 1830, the number of males above 55, 408, and females 535, or 100 males to 131.12 females. The males above that age being, to the whole number of males, as 1 to 16.40; and the females, to the whole number of that sex, as 1 to 16.45; and both, to the whole coloured population, as 1 to 16.53.

The number of persons *above 100* is 27, viz. 14 males and 13 females; or, in proportion to the whole coloured population, as 1 to 577.59.

#### COMPARISON WITH THE WHITES.

Under the age of 10, the whites were to the whole population as 1 to 3.70—coloured were as 1 to 4.58.

Above the age of 50, the whites were as 1 to 13.16—above the age of 55, the coloured were as 1 to 16.53.

Above the age of 100, the whites were as 1 to 17,334, 100, coloured 1 577.59.

Showing an extraordinary difference in longevity, on the side of the coloured population; and that, while in the case of the whites, it is in favour of the females as 2.33 to 1; in the coloured it is as .92 to 1—or, in the former, 100 males to 233.33 females, and, in the latter, as 100 males to 92.08 females.

The following table presents a view of the coloured population, in 1830, similar to that of the whites:—

AGES.	Coloured population of the City and County, according to the census of 1830, at the different periods of life.			Proportion of males to females at each age.		Proportion of each sex, at the respective ages, to the whole number of that sex		Proportion of the whole at each age, to the whole pop. of city and county.
	Males.	Fem.	Total.	Males	Females.	Males.	Females.	
Under 10 years of age.....	1658	1747	3405	100	105.36	1 to 4.09	1 to 5.03	1 to 4.58
Between 10 and 24.....	1772	2764	4536	100	155.98	1 3.82	1 3.19	1 3.43
24 36.....	1792	2405	4197	100	134.20	1 3.79	1 3.66	1 3.71
36 55.....	1162	1352	2514	100	116.35	1 6.00	1 6.58	1 6.20
55 100.....	394	522	916	100	132.48	1 17.21	1 16.86	1 17.02
100 and upwards.....	14	13	27	100	92.85	1 485.14	1 677.15	1 577.58
	6792	8803	15595	100	129.46			

#### Decrease by deaths, and increase by births.

In 1810, the population of the districts included within the bills of mortality, (viz: the City, Northern Liberties, Penn Township, Kensington, Southwark, Moyamensing, Passyunk and Blockley, was 98282, and the deaths, deducting still born, were 1897 or 1 in 51.80. In 1820, the population was 121980, deaths 3189 or 1 in 38.25, and in 1830 the population (less Blockley) 167,811, deaths 3948 or 1 in 42.50.

The whole number of *deaths* in the 10 years from 1820 to 1830 was 40506, viz: 34044 whites, and 6462 colored, males 22360, females 18146, or 100 males to 81.15 females.

The whole number of *births* in the 10 years from 1820 to 1830 was 64,637, viz: males 33569, females 31068 or 100 males to 92.54 females—color not designated.

The deaths were to the births in those 10 years as 100 of the former to 159.56, of the latter or as 1 to 1.59.

In both cases, still-born are included. For several years a small portion is designated "sex unknown"—in the above calculation, we have apportioned them in each year by those of the same year of which the sexes were ascertained.

The difference between the births and deaths in the 10 years is 24,131, which if they are correctly reported, shows that to be the *natural increase*, which taken from the total increase viz: 47044, will leave 22913 to have been supplied from abroad, from the country or from other cities. The natural increase therefore, and that from migration was nearly equal, or 100 from the former source for every 94.95, from the latter.





For the Register of Pennsylvania.

# THE ALCHEMIST.

No. XXIII.

Omnibus disciplinis et artibus debet esse instructus orator, *Quintilian*.  
Scribendi recte, superest et principium et fons.—*Horace*.

In the wide circle of human talent, and human effort, nothing more splendidly rewards success, than the attainment of a ready and superior eloquence. Other arts may confer distinction, but the powerful orator who moulds the feelings and sympathies of his audience to his wishes, and carries them along with him at his bidding, acquires a potency of influence to which poetry, painting, and all the fine arts together, has no pretensions. It is that secret moral ascendancy which intertwining itself with the fancy, impresses the image of the speaker indelibly upon the mind of the listener, and invests him there with the most romantic superiority. The tribute of admiration must ever be acceptable to him who inspires it, but what can be compared with that, which, not waiting for the approbation of critics, at once and spontaneously, springs from the heart, and is read in the eye? The ingenious and well informed writer, seen only through his pages, receives his meed of praise from the cold and guarded dispensations of reason, while the orator glowing with his subject, reads in the expressive glances of his hearers an enthusiasm, corresponding with that by which he feels himself animated.

When we consider the union of rare qualities—the superior endowments and extraordinary exertions—necessary to constitute an orator, we shall perceive the justice of Providence in so forming our moral nature as to recompense him by the most enviable and gratifying distinction. A luxuriant fancy and the utmost reach of practical and philosophical truth are as indispensable to his formation as skill in logic and exactness in learning. His arena is before multitudes of different characters and perhaps conflicting passions—he must allay one while he stimulates and excites another. It is not sufficient that he present Truth as she is, plain and uninviting, but he must dress her with attractions to secure her from revulsion. Great occasions sometimes require that a clearness and simplicity suited to the transactions of business should be united to the accuracy of the historian, and the comprehension of the philosopher to the genius of the poet. The higher order of poetry, it is true, requires the highest conceptions of our nature for its development, but the poet has his own time, and can choose his own topics for the excitement of his feelings and the concentration of his energies. In oratory every resource of genius, every effort of reason, every accumulation of knowledge are simultaneously put to the test, and brought together into vigorous and engrossing action. At the very same moment the speaker may be called upon to diversify the keenness and pungency of wit, with the gravity of elaborate and profound reasoning—the exactness of knowledge with the flights of impassioned eloquence.

A character so various and lofty, is hardly susceptible of analysis. But it may not be entirely useless to exam-

ine the elements which compose it, for the double purpose of ascertaining its distinctive merits, and to enable us more clearly to perceive the difficulties in the way to so great an attainment.

Notwithstanding the trite maxim, '*poeta nascitur, orator fit*,' and without meaning to undervalue the virtue of industry, I may be permitted to observe that an orator cannot be formed by study alone. Nature must implant the requisite feelings and powers, without which, the exertions of art would be as fruitless as the labours of the plough in the barren deserts of Sahara. His mind must be at once brilliant and solid, it must be capable of encountering hardships and making playful excursions. It must have a strength superior to the external accidents of the moment, and must never be thrown off its equipoise. In short, judgment, fancy, wit, and the faculty of expression, must be its distinguishing properties.

The gifts of art must be superadded to the endowments of nature. Let the aspirant be sedulous in the discipline of his mental powers, in the accumulation of knowledge, and the cultivation of his taste. If the *arcana* of nature, the minute subdivisions of the mineral and vegetable kingdoms be desirable to the poet, they are doubly necessary to the orator. The instructive lesson to which the ardent Prince of Abyssinia listened, must be learned by the votary of eloquence. Nor is this all. He must fill his mind with the treasures of history, and be acquainted with man under every aspect and in every country. Poetry and elegant literature, must refine his taste and deepen his sensibility, while deep thought and abstract speculation must render his mind rugged and adhesive. He must by the contemplation of elevated subjects be lifted above the multitude whom he is destined to instruct. He must acquire that mental tenacity which will not release its subject until it be exhausted. He must have all his powers so under the dominion of his reason as to be able to exert them upon instant notice, and that discipline which will enable him to transfer them with equal ease from the frivolous and pleasing, to the great and repulsive. He must, in short, become a purely intellectual being, with all his sensual tendencies, not only in restraint, but in absolute subjection. Can the man of licentious pursuits or criminal desires, divest himself of the weaknesses which 'flesh is heir to?'

This devotion to the cultivation of the intellectual powers by extinguishing the animal propensities; this manly resistance to the temptations of pleasure and the allurements of folly; implies a mind sufficiently strong to justify sanguine hopes. But let me not be understood to mean that he who aspires to the possession of those superior powers, essential to superior eloquence, should be phlegmatic and austere, inimical to joy, and the foe to refinement of sentiment. No; let him give the utmost play to the pure affections—let him cultivate those which reside in the mind and the heart—let friendship and love attune his feelings to the appreciation of all the endearments of social and domestic life. So nearly allied are true greatness and supreme felicity!

But to attain this flexibility of mental power, this comprehensive reach of knowledge, this exaltation of

character, it is not enough that the candidate for eloquence retire to Academic groves and classic bowers, that he 'trim his midnight lamp' in close communion with the mighty spirits of former ages. He must know his contemporaries and have active intercourse with his species; he must dive into the mazes of business and see mankind in its various conformations and opposing diversities. Let him not stop here. Let him mingle in the society of the elegant and accomplished of the other sex, whose airy pleasantry, brilliancy of fancy, and sharpness of wit, will suggest ideas as useful for actual conflict in the field of debate, as the deeper lessons he may imbibe in the solitude of his study. The proud aspirant for the laurels of intellectual glory, holding this too much in contempt, becomes rigid and ungainly, without versatility and suppleness. Such contact without detracting from the intrinsic worth of his misshapen bullion, will give it form, and polish it into elegance.

After being filled with profound knowledge and imbued with the beauties of approved authors, after acquiring an entire controul over his intellectual nature, and brushing from him the dust or *mauvaise honte* of the closet, let him observe with attention the best models for improving upon their merits, and avoiding their defects. Let him engage in the frequent exercise of speaking after due preparation; but in these let him be select in his words while bold in his style; chaste while animated in his illustrations and ornament. Let him indulge in written composition, which, allowing less ardour, vehemence, and freedom, may aid the acquisition of closeness in thought and purity and propriety in language. Let him by all the means in his power acquire *copia verborum*, that richness of style so necessary for the easy enunciation of his sentiments and the pleasurable gratification of his listeners. The eradication of the lower passions of our nature and the cultivation of every good affection and pure emotion, are greatly beneficial as they tend to exalt intellect over sense and prepare the mind by its consequent invigoration, for masculine achievements. They do more. They impart to the character a charm, and to the sentiments a power and a glow, which will overawe the debased and worthless. The man who to great natural and acquired talents for oratory, adds a contempt for meanness, a purity of morals, a love of country, and a reverence for religion, possesses an armament not only invincible in itself, but proudly setting opposition at defiance! H.

*Increase of the manufacture of iron in Pittsburgh.*—At a meeting of the citizens of Pittsburgh, held at the courthouse, on the 28th of December, 1816, Mr. Forward, in behalf of the committee appointed at a previous meeting, made a report, from which the following is extracted:

"In Pittsburgh and its immediate vicinity there is an annual consumption of pig iron to the amount of one thousand eight hundred tons, which gives employment to about 150 hands. The value produced is estimated at 223,000 dollars per annum. Of wrought iron, there is annually worked up above two thousand tons, furnishing, according to the best estimate in the power of the committee, a produce of one million three hundred thousand dollars."

We are assured that the consumption of iron in and about Pittsburgh, now exceeds eight thousand tons, and still rapidly increases.—*Pittsburg Gaz.*

From the Journal of Law.

## OPINION OF CHIEF JUSTICE GIBSON.

CORPORATION V. WALLACE.

[Concluded from p. 52.]

It seems to me, that the preceding remarks dispose of the principal grounds of the argument; but we have ample evidence, that no distinction between mortgages and judgments was ever made in practice. The doubt in the case of an older judgment was, whether any thing but the clear resulting interest of the debtor could be sold? and, on the theory of those by whom it was entertained, it is singular that it should have arisen. It was a postulate of that theory, that the interest of the older judgment creditor *did not pass by the sheriff's deed*, and, in that view, it is clear that he would not be entitled to satisfaction, out of what was paid, not as a price of his interest, but of that which had become the fund of the younger judgment creditor by virtue of his lien. To suppose that he might resort to the purchase money or the land, at his pleasure, was an evident inconsistency; and an admission of his right to take the purchase money, which seems never to have been doubted, ought at once to have settled the question. The purchase money could be substituted for the land, and distributed among the lien creditors, only on the supposition that the sale had divested their right to every thing else. At present, however, our business is with the evidence which we have, of the earlier practice; and this appears by the manuscript of Mr. Justice Shippen, to have been fully developed in *Febiger's lessee v. Craghead*, which was tried at Carlisle in 1793. David Hoge, who had been the sheriff of Cumberland county from 1769 to 1772, testified "that the usage had been, for thirty years, that when the sheriff knew of a mortgage, he sold subject to it; but that where he had no such knowledge, and the mortgage was not recorded, he sold absolutely, and paid off judgments and mortgages, according to their priority. That it was considered, that when the land was sold absolutely, it discharged all former incumbrances as to the purchaser, and that the sheriff looked to the payment of judgments according to their order." Samuel Postlewaite, who had been the sheriff of the same county, from 1783 to 1786, testified "that he had sold land subject to a mortgage, in which case the mortgage money was to be paid first." This short note of his evidence is evidently imperfect—the meaning being, that the mortgage was to be paid first, when a clear title was sold; and, in this aspect, his evidence is consistent with that of sheriff Hoge. Now it is vain to question the sheriff's right to prescribe the conditions of the sale; if a practice which, according to the account of it there given, has prevailed for seventy years, may not confer it, we have no foundation for many of our most important laws of domestic origin. Mr. Hoge's representation of the practice was, at the same time, corroborated by the testimony of Colonel Hartley, Mr. Bowie, and Mr. Charles Smith, all professional gentlemen, of great experience, in one or more of the counties of Lancaster, Berks, Cumberland, York, Franklin, Bedford, Mifflin, Huntingdon, and Northumberland, which then comprised that part of the state which is east of the Allegheny mountains, and west of a line midway between the Susquehanna and Delaware. In addition, when the cause came up in bank, the practice was asserted by Mr. Lewis to be general; and this, without contradiction from Mr. Ingersoll, retained on the other side, or from the judges, who, undoubtedly, had ample opportunity to become acquainted with it on their circuits, in every part of the state. No man was better acquainted with the earlier practice and traditions of the law, than Mr. Justice Yeates; and it is easy to discover from *Keene v. Swaine* (3 Yeates, 561) what he supposed it to have been in the matter before us. In the counties west of the Allegheny mountains, I am informed by my brother Kennedy, whose experience there reaches thirty years back, that a different impres-

sion had been made on the professional mind by the late president Addison, whose opinions were held in deserved respect; yet no one, in that part of the state, supposed there was a difference between mortgages and judgments; the supposition being, that the sheriff could not, in *any* case, sell more than the resulting interest of the debtor. This impression was, however, gradually effaced, by the influence of the judges of this court, on the western circuit, and the matter came to be viewed there as it was elsewhere. That it was the practice, in the eastern counties, to sell clear of mortgages, appears satisfactorily from *Petry v. Beauverlet* (1 Binney, 97), in which the sheriff of Bucks was allowed poundage for paying judgments *and* mortgages. To say that the point was not presented to the court, the matter having passed *sub silentio*, is to say nothing. What we want is the fact, that an instance of the practice passed in this city, unchallenged by the debtor, or the younger lien creditors, who are usually as sharp sighted, and true to their interests, as any other parties litigant in our courts. Certainly it would not have passed as a thing of course, had it been considered as great a phenomenon then, as it has been since: nor will it do to say, the payment may have been with the assent of the mortgagee—he had no right to assent to an arrangement, that would enable him to pocket the money of the younger lien creditors. A pretence of right, on his part, to take satisfaction out of the land or purchase money, at his pleasure, and thus throw the burthen on the purchaser, or younger lien creditors, as his interest or caprice may dictate, would be monstrous—such a right would put him in a situation to make terms that would give him more than his debt. How this pretence, which involves the same inconsistency of opinion that I have already noticed in the case of a prior judgment, came to receive countenance, I know not. The difficulty might have been solved, by a simple inquiry into the extent of the interest which passed by a sheriff's deed. The whole drift of the argument here, has been to prove that a sale on a younger judgment passes, not the estate of the older mortgagee, for that is supposed to be reversed, *BUT THE EQUITY OF REDEMPTION*; in other words, the clear interest of the mortgagor, which the judgment bound, *and which the mortgage did not bind*. It is not easy to see then, how the mortgagee could make pretence of right to what did not pass by his deed; and which being the subject of subsequent hypothecation by the debtor, constituted no part of his security. To give him the benefit of that, would be a gratuity at the expense of the mortgagor and the younger lien creditors. As well might the general creditors of a partnership, demand the proceeds of a separate execution of the interest of one of the partners, which consist of what may remain after payment of the joint debts, but, however inconsistent with the scope of the argument such a right of election would be, it is not more so than the modern practice which is said to prevail here. According to this, the sheriff sells, neither subject to, nor altogether free from, prior mortgages, but subject, where less than the amount of the mortgage is bid, to affirmation or disaffirmance of the sale by the mortgagee; according to which, the premises are returned sold, or unsold for want of bidders. The uncertainty of result, consequent on this, must necessarily have an unfavourable influence in preventing the attendance of purchasers; but the practice admits the whole converse of the plaintiff's argument. It admits, that when a sale is effected, *the whole estate*, and not the equity of redemption merely, is sold, and that the mortgagee is bound to take satisfaction out of the purchase money. It may be reasonable, that a younger lien creditor should not be at liberty to disturb an older incumbrance, where there is no surplus to be got at; and at one time an idea prevailed in the country, on what authority I know not, that the sale might be set aside, if no part of the proceeds were found to reach the execution of the seizing creditor. We give no opinion about that; but it is evident that the same idea has given rise

to the practice here, else the mortgagee would be consulted in all cases, whether the proceeds were more than adequate to satisfy his debt or not. But if the land were sold subject to his mortgage, the matter would not depend on his volition, more than it would on that of a stranger: he would be bound to look to the land exclusively, and not take satisfaction in a way to dis-appoint those who have no fund, but the equity of redemption; and that he may look to the price proves that his estate has been sold, for undoubtedly he can be compensated for nothing else out of the purchase money. A practice then, which has prevailed in every part of the state for more than seventy years, probably from the foundation of the province, ought, one would think, to be received as conclusive evidence of the law. It is said that practice, to be available, ought to be preceded by judicial decision: it seems to me, however, that this would be an inversion of the usual process of formation, judicial decision not being in any case a nucleus for the increment of the law, but, as in the case of the tenant's right to the way-going crop, the recognition of it as a thing already established by the custom of the country.

The argument *ab inconvenienti*, did the matter rest in discretion, would be inconceivably strong. I have heard, with surprise, an expression of regret, that the law had not been so settled originally, as to subject the land, in the hands of the purchaser, even to prior judgments. This must surely have been said without consideration. If each lien creditor were separately permitted to carve for himself, by selling just what might be sufficient to get his money out of the land, a great part of the estate would go among the retainers of the law. Full costs and poundage on every sale, would be just so much taken out of the pockets of the younger lien creditors, who would have come in for a share, had the land been turned into money, by one operation for the benefit of all. Beside, no one would be found willing to purchase, except at a prodigious undervalue, with the certainty of being annoyed by a series of executions to enforce the prior liens; and thus the younger lien creditors would be kept at bay; and the same consequence, or one as bad, would result from the sale on the oldest lien. The principle insisted on is, that a creditor can sell no more than he holds by his lien: on no other hypothesis, than that all beyond what is necessary to satisfaction belongs to the debtor, could there be a resulting interest in him to answer subsequent incumbrances. What right then would an older incumbrance have which a younger one has not, to divest the security of any one else, farther than may be necessary to produce satisfaction of his debt? The abstract principle, fairly carried out, would require him to sell an undivided interest, to the value of his incumbrance, and to strike it down as soon as enough were obtained to satisfy the debt and costs. This preposterous but necessary consequence of the principle, has been put out of view by the legislature, who foreseeing the inconvenience and confusion that would ensue from selling the estate piecemeal, have invested the purchaser with title to it, as it was held by the debtor. But a most oppressive consequence of the doubt generated by the principle of the argument, and communicated to the public mind by the imperfect report of *Febiger's lessee v. Craighead*, in the 4th volume of Mr. Dallas' reports, has been a sacrifice of property to an incredible amount. It is not too much to compute this at ten per cent. on every judicial sale of land that has since been made. Instances are within my knowledge of thirty per cent. on the purchase having been offered in confidence of the purchaser's skill, by those who, at the sale, refused to hazard a dollar on their own. Is it not equally the interest of lien creditors, whether by mortgage or judgment, as well as of the debtor himself, and, indeed, of all but those who speculate in bargains, that the land should go for its value? The public interest at stake is immense; and even if a temporary hardship, from the principle of *Willard v.*

Norris, were experienced in a particular quarter, it would be greatly more than counterbalanced by the permanent benefit that would result to the community at large. Public convenience, however, is supposed to require that this species of property be set apart, and consecrated to investment, by those who may be prevented by absence, or other causes, from attending to their property. If this consideration were imperative, its requirements might be satisfied by the public stocks, which afford all proper facilities; but, even if they did not, there is no species of investment, that ought to be so sacred as to controul the maxim, that the public good is the supreme law. But the inconvenience that would have resulted to mortgage creditors, from the decision in Willard v. Norris, would have been neither permanent nor great. They would have ceased to invest in lands at a distance; and as to defrauding them by a sham sale, at an undervalue, that would have become impracticable the moment it was ascertained that the purchaser was to have an unincumbered title. But they would have suffered no more in this respect, or by reason of the apprehended insecurity of the purchase money in the sheriff's hands, than judgment creditors do at present; and I have heard no complaints by these, of losses from collusive or surreptitious sales by younger judgment creditors. Even if there were just ground of apprehension on this score, further precaution might be taken by the courts. Mortgage creditors have certainly not been treated as having peculiar claims to protection in other matters; as in cases of injury to the premises, under the road law, for which the mortgagor receives compensation, without notice to the mortgagee; and I am unable to see why his interest should be preferred to that of every one else in the matter of a judicial sale.

It will be seen that the preceding remarks are intended for a mortgage not due. As between the mortgagee and purchaser, who, as owner of the equity of redemption, stands in the place of the mortgagor, it is impossible to conceive of an objection to payment which consists with the letter of the contract; and whatever might be the right of the mortgagor or the intermediate lender to demur to performance of the condition out of the money in the sheriff's hands, it is certain that the mortgagee himself could not, but standing in every respect as a judgment creditor, he cannot object to payment even before his debt is due; as has already been determined in the *Commonwealth v. Alexander* (16 Sergeant and B. 257), and intimated in *Barnet v. Wabaugh* (id. 410), and this disposes of the general question, which a respect for the opinion of counsel, who have doubted the soundness of the principle of *Willard v. Norris*, has induced to have re-argued on its original ground. It is unnecessary to say, that the result is a firm conviction of its solidity. It remains to inquire, how far it affects the plaintiff's lien on the whole, or any part, of the mortgaged premises. As to this, my opinion happens not to coincide with that of the majority; and the judgment of the court, on this part of the case, will be pronounced by my brother HENRIS.

From the Bradford Settler.

#### CANAL CONVENTION.

At a meeting of the delegates from counties on the borders of the North Branch of the Susquehanna and the Lehigh and Delaware rivers, at the court house in Towanda, Bradford county, on the 4th day of July A.D. 1831—Hon. Edward Herrick, of Bradford, was chosen President, Col. Jacob Drumheller, of Luzerne, and Simon Kinney, Esq. of Bradford, Vice Presidents,—James A. Gordon, of Columbia, and William Patton, of Bradford, Secretaries.

The following named gentlemen appeared as Delegates.

*Northampton*—Owen Rice, Erskine Hazard, Alexander E. Brown and Josiah White, Esqrs.

*Luzerne*—Col. Jacob Drumheller.

*Columbia*—Doct. Samuel Headly, George Mack, John T. Davis, and James A. Gordon, Esqrs.

*Bradford*—Hon. Edward Herrick, Dr. John N. Weston, Col. James P. Bull, John Laporte, Edward Overton, William Patton, Elisha S. Goodrich, David Cash, Ellis Lewis, Eliphalet Mason, and Simon Kinney, Esqrs.

Mr. Brown presented a copy of the proceedings of a meeting of citizens of Northampton county.

Mr. Rice one of the citizens of Lehigh county, and

Mr. Hazard one of a resolution of the Board of Managers of the Lehigh Coal and Navigation company, which were severally read, as follows:

At a meeting of the citizens of the county of Northampton, held at the court-house in the borough of Easton, on the 24th day of June, 1831, in pursuance of public notice, to take into consideration the propriety of appointing Delegates to the proposed Convention to be held at Towanda on the 4th day of July next, for the purpose of adopting measures to procure the construction of a Canal from the Lehigh to the Susquehanna, and for the extension of the North Branch Canal to the State line, to connect with the Chemung Canal, Christian J. Hutter, Esq. was called to the Chair, and James M. Porter, Esq. appointed Secretary.

Alexander E. Brown, Esquire, submitted to the consideration of the meeting the following Resolutions, which were read, and, the blank left for the names of the Delegates having been filled, were unanimously adopted.

*Resolved*, That in the opinion of this meeting, it is of great importance to this section of the Commonwealth that measures should be speedily adopted for filling the stock of the Susquehanna and Lehigh Canal Company, in order to effectuate a water communication between the Susquehanna and Delaware rivers, by the route of the Nescopeck and Lehigh.

*Resolved*, That we believe not only the people, of this section of the State, but the city of Philadelphia and the whole country bordering on the west and North Branches of the Susquehanna, have a deep interest in the prosecution and completion of the proposed work, as one calculated to enable the people to transport to the Philadelphia market, by means of a continuous water communication, the agricultural and mineral products of the country bordering on the West and North Branches of the Susquehanna, and in return, enabling the Philadelphians to supply those regions with her manufactures and merchandize.

*Resolved*, That in furtherance of these advantages, it is proper and right that the canal or improvement of the stream on the North Branch, be prosecuted by the State until it shall reach the line of the state of New York, and thus, by a connection with the Chemung Canal, make an uninterrupted navigation from the New York State Canal through the Seneca Lake to the city of Philadelphia.

*Resolved*, That this meeting approve of the Convention proposed to be held at Towanda on the 4th of July next, for furthering the objects herein before stated, and that Owen Rice, Josiah White, and Alexander E. Brown, Esquires, be Delegates to represent this county in the said Convention, with power to supply any vacancies that may occur in their number.

*Resolved*, That the proceedings of this meeting be published in the papers of this county, and that the Secretary be directed to transmit a copy of these proceedings to Henry King, Christian Pretz, and Mathew Selfredge, Esquires, of Allentown, with a request that they call a meeting of the citizens of Lehigh county, for the purpose of taking into consideration the propriety of sending Delegates from that county to the said Convention.

J. M. PORTER, Secretary.

At a meeting of the citizens of Lehigh, held at the house of Charles Seagrave, in the borough of Northampton, on the 27th day of June 1831, in pursuance of public notice; on motion Solomon Gangwer, Esquire, was



appointed chairman, and John Rice, Secretary, upon which the following preamble and resolutions were offered and unanimously adopted:

Whereas, it is understood that a Convention is to be held at Towanda, in the county of Bradford, on the 4th day of July next, for the purpose of adopting measures to procure the construction of a canal from the river Lehigh to the North Branch of the river Susquehanna, and for the extension of the works upon the last mentioned stream. Therefore,

*Resolved*, That in the opinion of this meeting, the construction of a canal from the Lehigh to the North Branch of the Susquehanna, would greatly promote the prosperity of the country upon both these rivers, particularly, as it would at no distant day, form an important part of an unbroken water communication from the city of Philadelphia to Lake Erie, and that the people of the county of Lehigh ought to act in concert with their fellow citizens of Northampton, and upon the Susquehanna, in adopting all proper measures within their power for the accomplishment of so desirable an object.

*Resolved*, That the proceedings of this meeting be published in the papers of this county, and that the Secretary be directed to transmit a copy to the members of the convention at Towanda.

Signed, SOLOMON GANGWER, *Chairman*.

JOHN RICE, *Secretary*.

At a meeting of the Board of Managers of the Lehigh Coal and Navigation Company, Philadelphia, June 14th 1831.

*Resolved*, That Josiah White, and Erskine Hazard, be appointed Delegates to represent this company in the Convention to be held at Towanda, on the 4th of July next, for the purpose of adopting measures to promote the construction of a canal from the Susquehanna to the Lehigh, by way of the Nescopeck.

EDWIN WALTER, *Secretary*.

On motion, Messrs. Overton, Headley and Herrick were appointed a committee to confer with the representatives of the Lehigh Coal and Navigation Company.

On motion, Messrs. Bull, Laporte, Gordon, Rice and Brown, were appointed a committee on the subject of the canal from the Susquehanna river to the Lehigh, by the route of the Nescopeck creek.

The Convention then adjourned to meet at 6 o'clock, P. M.

Agreeably to adjournment the Convention met, the chairmen of the respective committees reported progress, and had leave to sit again—and the convention adjourned to meet to-morrow, at 7 o'clock, A. M.

Tuesday 5th July, the Convention again met. Mr. Overton, from the committee appointed to confer with the deputation from the Lehigh Coal and Navigation Company, made report, as follows:—

The committee appointed to confer with the Lehigh Coal and Navigation Company, Report,

That having conferred with Erskine Hazard and Josiah White, Esqrs., agents for the Lehigh Coal and Navigation Company, and fully interchanged their respective views and sentiments, they feel assured that the Lehigh Coal and Navigation Company take a lively interest in the great public work, of making a water communication between the waters of the North Branch of the Susquehanna and those of the Lehigh, and that they heartily concur with this committee on its great utility, and the necessity of its speedy commencement.

That they express the greatest willingness to yield to the Susquehanna and Lehigh Canal Company all the privileges in their power necessary to encourage and facilitate the successful operations of that company.

That they concur in opinion with this committee, that the vast interests of the western part of the State of New York, and of the northern part of Pennsylvania,

call loudly upon the commissioners of the Susquehanna and Lehigh Canal Company, to take immediate measures for the commencement and speedy completion of this most important section of internal improvement, by which the city of Philadelphia and of the Commonwealth generally, will be as much benefitted as by that of any other work, of the same magnitude, in the state.

SAMUEL HEADLEY,  
E. HERRICK,  
EDWARD OVERTON,  
*Committee.*

On motion said report was unanimously adopted.

Mr. Bull, from the Committee to whom was referred the subject of the canal from the Susquehanna river to the Lehigh river, by the route of the Nescopeck creek, made report as follows:

The committee to whom was referred the subject of the contemplated canal from the Susquehanna river to the Lehigh by the route of the Nescopeck, creek, beg leave respectfully to

#### REPORT:

That the shortness of the time allotted to them for the purpose, precludes them from doing that justice to the subject which their inclinations and judgment would dictate; they are compelled to confine themselves to a mere reference to its prominent features.

The town of Havanna, which is situated near the head of the Seneca lake, in the interior of New York is 418 miles distant from the city of New York, by the route of the Grand Canal of that state; but by the way of the North Branch of the Susquehanna, the Nescopeck and Lehigh canal to Philadelphia, our own commercial metropolis is only 351 miles; 67 miles less than from that place to New York.

With the completion of the projected improvements from the Lehigh to the Susquehanna and the extension of the North Branch Canal to Newtown, will we not have a reasonable prospect of gathering a rich harvest from the products of our sister state, which now pass through her own canals to the city of New York? To the advantage which we possess over her in point of distance, must be added another important one, viz: that our canals are situated in a more southern latitude, and are navigable from two to four weeks later in the fall and that much earlier in the spring. A boat and cargo leaving Havanna for Philadelphia at the opening of our canals in the spring would generally be able to perform the trip by the North Branch and Nescopeck route and return with a cargo of merchandize before the New York canals were opened for public use. This solitary fact demonstrates the great utility of the projected improvements on the North Branch and on the Nescopeck.

In order to have a proper understanding of the merits of the Nescopeck route, your committee have thought proper to institute a comparison between it and the other connexions of the Susquehanna and Delaware, which have been made, are in progress or contemplated. This is done without a view of disparaging other routes, for there will be ample business for all the canals and rail roads connecting the great and flourishing valley of the Susquehanna with the Delaware.

The following table of distances, lockage, &c. upon the several routes connecting the Susquehanna and Delaware, has been obtained from official reports of professional men, and other authentic sources.

#### BY THE UNION CANAL.

	Dist. in miles.	Ft. of Lockage.	No. of locks.
From Berwick to Middletown	99		
From Middletown by the Union canal to the point of its intersection with the Schuylkill canal,	80	492	92
From thence to Fairmount, near Philadelphia,	60	182	30
Aggregate,	239	860	146

## BY THE NESCOPECK ROUTE.

	Miles.	Lockage.	Locks.
From Berwick to Mauch Chunk	63	1455	
From Mauch Chunk to Easton,	46		
From Easton to Philadelphia,	78		

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## BY THE COLUMBIA RAIL ROAD.

	Miles.
From Berwick to Middletown	101
From Middletown to Columbia	19
From Columbia to Philadelphia	
by rail road.	82

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 Aggregate, 202

## BY THE SUNBURY RAIL ROAD.

	Miles.
From Berwick to Sunbury,	38
From Sunbury to Pottsville	46
From Pottsville to Philadelphia	
by rail road,	108

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 Aggregate, 191

By comparing these statements it will be perceived that the Nescopeck route possesses the decided advantage over all the others of being the shortest route from the Northern country to the Delaware markets. The only continuous water communication besides this is that obtained by the Union Canal. For the want of a sufficient supply of water, this has not heretofore been navigable during the dry season of July and August. If this supply should hereafter be obtained, the canal is so constructed as to admit boats of only 25 tons burthen; hence the Nescopeck, having an abundant supply of water, will always possess an advantage over the Union Canal by admitting boats of larger dimensions, and in point of distance is entirely beyond all competition, or even comparison with that route, the difference being 52 miles in favour of Nescopeck route, or more than one fourth of its whole length.

From Northumberland to Philadelphia by the Union canal, the distance is 203 miles; and by the way of the Nescopeck canal the distance is 223 miles—a difference in distance in favor of the Union Canal of 20 miles; but it is believed that this is more than neutralized by the difference in the capacity of the two canals and unfailing supply of water which will render it navigable at all times, when not obstructed by frost. It is fair therefore to presume that the trade of the West Branch would pass through this canal to Philadelphia.

The quantity and value of the produce of the Susquehanna valley has been variously estimated. Its tonnage in 1825 was estimated at 100,000 tons, and its value at four and a half millions of dollars. This estimate was made with care, and founded upon actual observation and information obtained from pilots of crafts & floats as they passed down the river. Fifteen hundred arks were said to have arrived at Port Deposit, and it is certain that many found a market for their cargoes above that place. Admitting that one half of this tonnage, which is a low estimate, will pass through this canal, and it presents an inducement for the investment of capital in the stock of the company, worthy of great attention.

The opening of a continuous water communication between the New York lakes and the city of Philadelphia, would enable that city to supply a vast extent of country, rich, populous and fertile, with foreign merchandize and her own manufactures, thereby greatly adding to the commercial prosperity of our own metropolis. In the valley of the Nescopeck large quantities of iron ore are found, with facilities for manufacturing it. Mr. Trezuly in his report, to the governor, of the exploration of the Susquehanna, made in 1827, thus speaks of the mineral productions of the valley.

"The mineral productions of the Susquehanna are found to be very abundant and of incalculable value; consisting chiefly of anthracite and bituminous coal, and iron ore; the red and black Puzzallano [*Roman cement*]

also are met with in the vicinity of Danville and other places, in large bodies; and also at several other places another valuable water cement termed *Terras*, which is used as a substitute for the Puzzallano, when that article cannot be had. Tale and soap stones, suitable to be used in blast furnaces of every description, fire places and for ornamental purposes are also to be had in great plenty along the river." "In addition to these a variety of elegant marble, slate suitable for roofing, and lastly a fine granite are found in abundance; and in the vicinity of Berwick, Bloomsburg and Danville and other places on the west side of the river, indications of iron ore and bituminous coal are also met with. An extensive bed of bituminous coal of excellent quality has been opened on the hills bordering on Towanda creek."

In addition to the advantages which will be derived from the construction of this canal, by the citizens of the district through which it may pass, the Commonwealth will derive an additional revenue from the increase of tolls upon the Delaware Division of the Pennsylvania canal.

The committee believe they have adverted to the principal facts which demonstrate the utility of the canal, and the great inducement it presents to capitalists for an investment of their funds. It may now be proper to advert to the practicability of its construction. The route was surveyed in 1828, by Moncure Robinson,\* who states that the summit of the canal is 759.284 feet above the level of the Susquehanna, and 109.217 feet above the level of the Lehigh. The length of the line is 37 miles. The lockage may be very much reduced by the introduction of inclined planes.

This is a principle which has already been used with success in Europe, and it has been adopted in the construction of the Morris canal in New Jersey. According to the report of Mr. Robinson, the supply of water will be abundant without resorting to the Lehigh; Pine run, Wright's and Bear creeks, furnishing 2034 cubic feet per minute, which may be easily increased, if there be any occasion for it by constructing reservoirs on Bear creek. On the subject of inclined planes, we deem it necessary only to give the following remark from the American Quarterly Review of December, 1830, a work of sufficient character to entitle its statements to full credit:

"We have seen that by a judicious application of mechanical principles, the expenditure of water upon inclined planes need not be more than one and a half times the weight of the boat and cargo. Hence canals, in which this may be employed as the means of changing level, may not only be executed in countries of such a character as to forbid lock navigation, but may be made available even when water is too scanty to admit of the use of the lock."

With these inclined planes it is believed that the amount of lockage on this canal will not be more formidable than that of the Union canal; hence the apparent amount of lockage is no objection to the route. So that in every point of view, whether we consider the comparative length of the several routes, the amount of lockage, the dimensions of the work, capacitated as it may be to pass boats of twice the burthen of the Union canal, or the central position it occupies, the conclusion is forced upon us that it will be an improvement of greater utility than any which has yet been made or contemplated having the same object in view. When a boat and cargo may arrive at Easton, if the Philadelphia market should not suit the owner, he will be able to take the Morris canal and pass over to New York, the distance being 18 miles farther; or with a trifling additional expense he may pass down the Delaware and through the Delaware and Chesapeake canal to Baltimore, thus carrying him to a central point between all the best markets in the Union.

The causes which have heretofore prevented the commencement of this work, viz: the control which the

\* See Register, vol. iii. pages 54 and 68.

Lehigh Coal and Navigation Company possessed over it, inasmuch as that company have had the exclusive right to use the water of the Lehigh; and the power under its charter, by the imposition of extraordinary tolls, to control the operations of the Su-quehanna and Lehigh company, are now removed; and there exists no impediment in the way of its construction, or the operations of the company when completed. It is therefore a favorable moment to present it to the enterprising and wealthy citizens of the country—who cannot fail to perceive the superior advantages it possesses over any similar work.

All which is respectfully submitted for the consideration of the convention.

J. P. BULL,  
JOHN LAPORTE,  
J. A. GORDON,  
OWEN RICE,  
E. S. BROWN.

On motion, said report was unanimously adopted.

On motion, Messrs. Lewis, Brown, Mack, Bull and Davis, were appointed a committee to draft a memorial to the Legislature upon the subject of the improvements contemplated in the report of the committees.

On motion, Josiah White, Esq. of Mauch Chunk, Alexander E. Brown, Esq. Easton, Owen Rice, Esq. Bethlehem, Doct. Samuel Headley, James A. Gordon, and George Mack, Esqs. of Berwick, Col. Jacob Drumheller, of Cunningham, John Laporte, Esq. Asylum, and Col. James P. Bull, of Towanda, were appointed a committee of correspondence.

On motion, *Resolved*, That the proceedings of this convention be published in all the newspapers friendly to the object of the convention.

EDWARD HERRICK, *President*.

JACOB DRUMHELLER, }  
SIMON KINNEY, } *Vice Presidents.*

JAMES A. GORDON, }  
WILLIAM PATTON, } *Secretaries.*

## PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, July 21.

**SELECT COUNCIL.**—Mr. Neff presented the following remonstrance against a stand for drays in Front street.

To the honorable, the Select and Common Councils of the city of Philadelphia.

Your memorialists residing in Front near Market street, have heard with regret that a resolution has passed your honorable bodies fixing a stand for drays from the south side of Market to the north side of Walnut in Delaware Front street; 100 feet from the south side of Market, is as they understand already appropriated as a stand for wheelbarrows, which during the shad season is not only crowded with them, but with waggons and carts, waiting a supply of fish. They would also urge as reasons to your honorable bodies against the allotted stand, the vicinity of the market, and at times of a plentiful market the crowded state of Front street, as well as the great injury to those with families residing in the neighborhood.

Mr. Duane offered the subjoined resolution which was agreed to.

*Resolved*, That the committee appointed in relation to the public lots on Schnykill, south of the Permanent bridge, be and they are hereby instructed to consider and report upon the propriety of removing the old engine house on the south western end of the said property, at the expiration of the existing lease, and if they shall report in favor of the removal and improvement, that they report a plan of such improvement as in their opinion ought to be made.

Mr. Toland offered the annexed resolution which was agreed to, and Messrs. Toland, Duane Johnson, and Leiper, were appointed the Committee.

*Resolved*, that a joint committee of the Select and Common Councils, be appointed to carry into effect the

resolution relating to placing the chambers of the Councils in mourning, for the late JAMES MORRIS, Esq. Ex-President of the United States, and charge the expense thereof to appropriation No. 21.

The resolution relative to McAdamising Chesnut street, between 5th and 6th streets, which had passed the Common Council, was not concurred in by the Select Council.

**COMMON COUNCIL.**—Mr. Johnson presented the following petition which was referred to the Paving Committee.

*To the Select and Common Councils of the city of Philadelphia.*

Gentlemen,—The undersigned neighbours, citizens living in, and owning property in Gaskill street between Second and Third, represent that they are very much inconvenienced by the narrowness of the side-walk in said street. They beg leave to state that Gaskill street is laid out twenty feet wide, about 4 feet of which on each side, is reserved as a walk, leaving twelve feet for a cartway, which latter space is not of sufficient dimensions for two carts to pass and unnecessarily large for one. They therefore respectfully ask of Councils to enact an ordinance for repaving said street, establishing at the same time the side walks six feet each and the cart-way eight feet; by so doing they will add much to the comfort and convenience of the residents in said street and of a large portion of the population of the city and vicinity, make a certain public improvement, and in fact lessen the expense of the city hereafter, by having a smaller street to keep in order, which by having the gutter placed in the centre can be easier cleaned and kept clean. At present the said walks are so contracted, that notwithstanding the constructed steps to the houses, passengers are almost every minute during the day forced into the gutters, and children are particularly placed in imminent danger.

Mr. Leiper as Chairman of the Special Committee, to whom was referred the petition of the victuallers, made the ensuing report and resolution, which were **UNANIMOUSLY** agreed to by both Councils.

The committee, to whom were referred on Thursday last the memorial, then presented, of Henry H. Miller, and others, victuallers,—and the counter memorials of Henry Froth, and others, citizens of Philadelphia,—and the other counter memorials of Ezekiel Norman, and others, farmers of Chester and Delaware counties, report,

That the victuallers by their memorial ask of councils, to pass an ordinance “prohibiting the sale of any butchers’ meat, in less quantities than the quarter (of the animal) at any other public places within the market limits, than at such stalls as are appropriated for victuallers; and that any farmer, shinner, or other person whatever, who shall offer or expose for sale any butchers’ meat, in less quantities, or in any other place or places, than are specified and allowed by law, shall forfeit the same, together with such penalty as the wisdom of Councils may suggest.”

That the citizens, by their counter memorial, represent “that such an ordinance would place the house-keepers of Philadelphia at the mercy of the victuallers, and would enable them to demand almost any prices they thought proper to place on their meats; that there is scarce any family, especially in the warm season, who would wish to buy a whole quarter of meat; and the prohibition of selling by a less quantity, would be equal to a total refusal to allow the article to be sold at all.”

And that the farmers represent, that such an ordinance “would, as they believe, be prejudicial to the interests, and inconvenient, to both the citizen and farmer, in consequence of the most opulent not wishing, and a great portion of the people not being able to purchase that quantity at a time.”

It is well known to Councils, that by the act of Assembly, authorising the construction of additional market-houses, the western moiety of each new market-house

was appropriated exclusively to the accommodation of "such persons as send or carry the produce of their farms to market." Over this law of the state, the Councils of Philadelphia have no control; and they would probably exceed their legal powers, were they to deny to the owner of a farm the right of selling in market the veal, mutton, and beef, which were the produce of it. To say, that such a farmer should not sell by less parcels than the quarter, would be nearly the same as to deny his right of sale altogether; for no one buys meat in so large quantities during half the year, and few at any time. Besides, there is no law which authorises the City Councils to determine for the owner of a farm, in what manner he shall cut up his meat for market, or in what form he shall expose it for sale. His interest will teach him to expose it in the form which is most acceptable to purchasers; and the legislature, aware of this, may have thought it unnecessary that any legal regulation should be made on the subject.

These considerations go to prove that the Councils have no power to grant the prayer of the victuallers' memorial. But if they had the power, it is plain to the committee, that it would be unwise to exercise it.

The victuallers of the city and county of Philadelphia, form a very respectable and wealthy body of men; whose rights the committee would be anxious to respect and secure. It may however be affirmed, with confidence, that the farmers of the adjacent counties, who attend the Philadelphia markets, are not less entitled to the respectful consideration of Councils. Equally just in their dealings, equally respectable as to general character, and more numerous, they contribute even more largely to the public accommodation and comfort.

The fact that they come from different and comparatively distant parts of the country, and cannot, therefore, easily combine together to raise the prices of provisions, or to withhold a supply of them from the market—and the additional fact that they never have attempted such a combination—forms an argument against the passage of any law, which should postpone their interests to those of any other persons who attend the markets.

But it is the general good which should be first cared for. If the wishes of any portion of the community are inconsistent with the interests of the rest, it would be unjust and unwise to gratify the wishes of the few, at the expense of the rights of the many. Monopolies are always odious and seldom politic.

To grant the request of the memorial, would be to prevent farmers from selling meats, and thus to give this important business to the victuallers alone. It would be to grant a monopoly of articles of the first and daily recurring necessity, to a single class of men. It would enable the victuallers to exact most exorbitant prices, or, at their pleasure, totally to deprive the community of the most indispensable articles of provisions. The hardships which a combination for such a purpose, so fortified, would inflict upon the poor, need scarcely be alluded to. The rich man might suffer a partial inconvenience, but by substituting at his table some other more expensive article of diet, he would be enabled to disregard the combination. But the cheaper meats, which are supplied by the butcher, must necessarily be the principal reliance of the men in middling circumstances, and almost the only resort of the labouring part of the community. No law can be wise, which would make these large and important portions of the community, dependent on the policy, or the caprice, of any single class of men for their daily supply of necessary food.

Nor would it be safe, as the experience of the last few days has proved, to confide a power so easily abused, to the hands of any individuals, however elevated by abundance of pecuniary means, or acknowledged liberality of disposition. The people of Philadelphia have seen with surprise and regret, that it is possible for the highly respectable victuallers, who have heretofore furnished their markets, to combine together—not to raise the price of their meats, for such things have occurred else-

where—but absolutely to withhold from the inhabitants of the city and liberties their customary supplies of animal food. Had the law, for which the memorialists asked, been heretofore in force, this combination must have been entirely successful; and the public would have been compelled to accede to any terms which the victuallers thought proper to dictate, as the condition on which they might be permitted to return to their ordinary diet. It is the absence of the very law, which the victuallers call on Councils now to enact, which alone has saved the city from the disgrace of such a capitulation.

It is true, that the persons who have sold in the market-houses have found, since the first establishment of the markets, that their profits were interfered with by those who sold in the streets. The farmer, who paid twenty dollars a year for a stall, which he generally occupies two days in the week, has found that other farmers, who were willing to dispense with protection from the weather, could sell produce from their carts with nearly equal facility. And the butchers, who paid thirty dollars a year for the advantages of a market stall, during six days of the week, have complained that their brethren in the street paid nothing. To meet these complaints of the victuallers (for the farmers have not complained) laws have, from time to time, been passed by Councils; but the difficulty of distinguishing between a butcher, and a farmer selling the produce of his farm, has, in many instances, undoubtedly made them ineffectual.

At the very moment when the memorial of the victuallers, now under examination, was presented, a law on this subject, carefully and laboriously digested, had been for several weeks under the consideration of Councils. Recent occurrences may justify a reasonable doubt, whether the provisions which it contains, on this subject, are not more ample and imperative than sound policy would now dictate.

This, however, is not a question for the consideration of the Committee, inasmuch as the memorial referred to them, prays for the exclusion of all farmers and other persons whatever, except victuallers, from the right of selling meats in the customary manner, and in convenient places.

The Committee believe, that such an ordinance would be of doubtful legality, obviously unjust, and impolitic in a high degree. They, therefore, submit the following resolution:

*Resolved*, That the Committee be discharged from the further consideration of the subject.

All of which is respectfully submitted.

WM. J. LEIPER,  
WILLIAM LEHMAN,  
J. MOSS,  
JOSEPH WORRELL,  
HENRY TOLAND,  
CHARLES MASSET, Jr.

July 21, 1831.

✎ CORRECTION.—Notwithstanding all the pains we have taken in the correction of the tables, in the present number, we have, since the first form went to press, discovered an error, which our readers are desired to notice. It is in the average "proportion of the deaths of whites and blacks," (table on p. 72)—for 100 whites 27.99 blacks, read 100 whites 18.99 blacks.

#### HISTORICAL SOCIETY OF PENNSYLVANIA.

A stated meeting of the Historical Society of Pennsylvania, will be held at the Society's chamber in the Philosophical Hall, over the Athenæum, on Monday next, August 1st, at 8 o'clock in the evening. General attendance is requested.

July 30, 1831.

J. R. TYSON, Sec'y.



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 6. PHILADELPHIA. AUGUST 6, 1831. NO. 188.

## JUDGE BALDWIN'S OPINION.

WOODHULL & DAVIS } Circuit Court of the U. States,  
versus } April Session, 1831.  
WILLIAM WAGNER. }

[Present Judges Baldwin and Hopkinson.]

THIS was an application to discharge the defendant from custody, under a ca. sa., and was submitted to the Court, upon a statement of the facts, as follows:—

William Wagner, residing in Philadelphia, drew a bill of exchange upon Woodhull and Davis, residing in New York. It was accepted, and paid at maturity by the acceptors. The late firm of Snowden and Wagner had consigned to Woodhull and Davis a cargo of turpentine, which was not disposed of at the time of accepting the bill, at which time the firm was dissolved, and the defendant was carrying on business alone. After winding up the sales and crediting the net proceeds, a balance remained, excluding Wagner's bill against the New York house. Suit was brought against William Wagner for not indemnifying Woodhull and Davis for the acceptance on his account, and the sum claimed, and for which judgment was recovered, was the amount of the bill of exchange, less the balance of Snowden and Wagner's account. The defendant, being in custody on a ca. sa., applied for his release on the ground of his discharge by the insolvent law of Pennsylvania. This was opposed on the allegation, that the debt was contracted in New York, and therefore not affected by the discharge here.

The Opinion of the Court was delivered by BALDWIN, J.

The statement of the case, agreed on by the parties, presents only one question for the consideration of the Court, which is—Whether the defendant's discharge under the insolvent law of Pennsylvania entitles him to be discharged from the arrest made under a ca. sa. issued from this Court in execution of a judgment obtained against him eleven months before his discharge?

The power of the states of this Union to pass bankrupt, or insolvent laws, and the effect of the exemption of the person of the debtor, or property acquired after the discharge, have been the subject of much discussion and difference of opinion. In the Supreme Court they have been so fully examined by counsel, and the judges, as to make it necessary only to state the result of such cases as bear upon the present application.

In *Sturgess v. Crowninshield*, 4 Wheat. 122, 91, it was decided—First, That a state had a right to pass a bankrupt law, provided there was no act of Congress in force, establishing a uniform system of bankruptcy, conflicting with such state law; and provided it did not impair the obligation of a contract, within the tenth section of the first article of the constitution. Second, That such state law, liberating the person of the debtor, and discharging him from liability on contracts made previously to the law, was unconstitutional and void, so far as it discharged the contract or attempted to do so. But third, That it was valid, so far as it discharged the person of the debtor from confinement; as imprisonment was merely a remedy to enforce the obligation of the contract, but no part of the contract itself, a release from it did not impair the obligation, p. 200–1. Though the Court, in the latter part of their opinion, p. 207,

confine it to the second point, yet the first and third having been considered, and their judgment exercised on them, it has always been understood (and so we feel it our duty to view it) that the law is settled on these points, according to the reasoning of the Court, if not their direct decision. The same principle, on the third point, was affirmed in *Mason v. Haile*, 12 Wheat. 370.\* This case was decided independently of any considerations arising from the locality of the contract of the parties.

In *McMillan v. Neil*, 4 Wheat. 209, the Court are said to have declared that the circumstance of the state law, under which the debt was attempted to be discharged, having been passed before the debt was contracted, made no difference in the application of the principle. And in the *Farmers' Bank v. Smith*, 6 Wheat. 131, that the fact of both parties being citizens of Pennsylvania when the contract was made, and the defendant was discharged, made no difference between that and the former cases.

From the opinions of the judges, in *Saunders v. Ogden*, 12 Wheat. 213, &c. it seems that the point decided in *McMillan v. McNeill* was not correctly stated by the report, and that it was not intended to settle the question of the law upon contracts made subsequent to its passage. This question remained open till the case of *Sanders v. Ogden*, in which, four of the judges gave their opinions, that the contract could be discharged by a state law passed before the contract was made; putting the case on the distinction between bankrupt or insolvent laws which were retrospective, and those which were prospective in their operation. But these opinions led to no final judgment on this point, which in strictness may therefore be considered as not having been adjudicated, though it was the deliberate opinion of a majority of the court; but this point does not arise here, and it is therefore not necessary to the decision of this motion to notice it further.

Another point of more immediate application arose in that case. The suit was brought on a bill drawn by Jordan in Kentucky, on Ogden, a citizen of New York, resident there, and accepted by him in favour of Saunders, a citizen of Kentucky. One of the judges who composed the majority on the first question being of opinion, that a discharge under the law of New York was void as to a citizen of Kentucky, four judges concurred in giving judgment for the plaintiff, on the ground of the invalidity of the law, page 369. Judge JOHNSON was the only judge, who gave an opinion on the second point—the three who concurred with him on the first, dissented on this—the three who dissented on the first, assented to the judgment which was entered for the defendant in error; but without assigning any reasons beyond those given in their dissenting opinion on the first question, p. 332.

If the case of *Ogden v. Saunders* had turned upon the mere point of the citizenship of the plaintiff, it would be difficult to say what was the direct judgment of the Court. Three judges thought the law of New York was

\* The Court declared that a state law abolishing imprisonment for debt, would be as valid as a measure regulated by the state legislature, acting on the remedy and that in part only; and repeat the doctrine asserted in the former, 378.

valid, having been passed before the debt was contracted, and that it operated on the case, the contract having been made, and to be executed there. Three gave no opinion on the point of locality. It was not necessary to do so, as they thought the plaintiff entitled to judgment on the first. Thus considered, this case, standing by itself, directly adjudicates no definite question involved in the one now under hearing; as we are not informed whether the three judges, who concurred with Judge JONSSON in rendering judgment against the party claiming under the law, did it for the reasons assigned by them in their dissenting opinion on the first point, or those assigned by him on the second. No question arises here as to the right of the plaintiff to all remedies against the defendant's property. The law under which he has been discharged is not unconstitutional, as it attempts to discharge only the person. The only doubts are: first, as to the effect of a discharge on a debt contracted in New York; second, with a citizen of that state; and third, on process issued from this court.

All the judges in *Ogden v. Saunders*, stated that the point decided in *McMillan v. McNeill* was that a discharge of the defendant, under a law of Louisiana, could not discharge or operate on a contract made and to be executed in South Carolina, where both parties then resided. Thus affirming individually, if not by their collective judgment, the principle then settled. In several cases preceding that of *McMillan v. McNeill*, as well as in that, the Supreme Court have declared that a discharge by the bankrupt laws of a foreign country was no bar to an action brought on a contract made in this. 4 Wheat. 213; 5 Cr. 298, 302, *Robert's adm'r v. Bank of Georgetown*, January term, 1831. 12 Wheat 358, et seq.

In *Buckner v. Pinley*, 2 Peters, 586, the Court declared, that "For all national purposes, embraced by the Federal Constitution, the States, and the citizens thereof, are all united under the same sovereign authority, and governed by the same laws. In all other respects, the states are necessarily foreign to, and independent of each other. Their Constitutions and forms of government being, although republican, altogether different, as are their laws and institutions," 590. This principle seems directly applicable to the laws of the States, discharging the persons and future acquisitions of debtors. Such laws are wholly unconnected with the Federal relations of the States to the General Government, where they do not impair the obligation of contracts. Discharges under them are, in other states, to be considered as made under foreign laws, within the uniform decisions of the Supreme Court, having no extra-territorial effect on contracts made beyond their jurisdiction, or with persons not subject to their laws at the time when it was to be carried into effect. In this light, and taken in connexion with these cases, the case of *Ogden v. Saunders* is important, as showing the concurrence of all the judges in the general principle as to the effect of discharges under foreign bankrupt laws. It is also important as connected with the case of *Shaw v. Robbins*, in a note to 12 Wheat. 369, in which the Court decided that a bill of exchange, drawn by a citizen of Massachusetts on a citizen of New York, and accepted by him, being a resident there, could be recovered in a State Court in Ohio, though the defendant had been discharged under the insolvent law of New York. The facts of the case were those of *Ogden v. Saunders*, the decision of which was held applicable, and governed the one before them. Thus connected with the preceding case of *McMillan v. McNeill*, and the subsequent one of *Shaw v. Robbins*, the case of *Ogden v. Saunders* must be considered, at least in the Circuit Court, as settling both principles—that a discharge by the law of a state, operates only on contracts made between its own citizens, and to be executed within the state. The opinion of Judge JONSSON may then be taken by us as that of the majority of the Court, on the effect of the decision of that case, in p. 368-9. He declares it

to be an adjudication in that case "that as between citizens of the same state, a discharge of a bankrupt by the laws of that state is valid as it affects posterior contracts; that as against creditors, citizens of other states, it is invalid as to all contracts."

The learned judge maintains these propositions: First, "That the power given to the United States to pass insolvent laws is not exclusive." Second, "That the fair and ordinary exercise of that power by the states, does not necessarily involve a violation of the obligation of contracts, a *multo futuri* of posterior contracts." Third, "But when states pass beyond their own limits, and the rights of their own citizens, and act on the rights of citizens of other states, the exercise of such a power is compatible with the rights of other states, and the constitution of the United States."

In the next case which came before the Supreme Court, on the effect of discharges by state bankrupt laws, (*Clay v. Smith*, 3 Peters, 411,) the plaintiff was a citizen of Kentucky, the defendant of Louisiana, who was discharged, "as well his person as his future effects, from all claims of his creditors," by a law of that state, passed in 1811. The debt sued for was incurred in 1808. The plaintiff made himself a party to the proceedings under the law, and was thereby held to have abandoned his extra-territorial immunity from the operation of the bankrupt law of Louisiana, which released the defendant from all demands on his person or subsequently acquired property.

The result then of what we must consider in this court as the decision in the foregoing case is, that a state law, discharging the person of a debtor from arrest for debts contracted in the state between its own citizens, it effecting only the remedy to enforce not the obligation of the contract, is valid and not within the prohibition of the constitution, whether the debt was contracted before or after the law. *Sturges v. Crowninshield*, *Ogden v. Saunders*, *Mason v. Hale*. So is a law discharging both the person and future acquisitions of the debtor from contracts posterior to the law, or from anterior ones, if the creditor makes himself a party to the proceedings which lead to the discharge in the state court. *Ogden v. Saunders*, *Clay v. Smith*. But such laws have no operation out of the state, over contracts not made and to be carried into effect within it, or over the citizens of other states. *Harrison v. Story*, *McMillan v. McNeill*, *Ogden v. Saunders*, *Shaw v. Robbins*, *Robertson's administrators v. Bank of Georgetown*. That it makes no difference, whether the suit is brought in a state court or the courts of the United States—the rule is the same, as to rendering a judgment, or issuing a process. *Farmers and Mechanics' Bank of Pennsylvania v. Smith*, *Shaw v. Robbins*, *Ogden v. Saunders*. A state law not repugnant to the constitution, laws, or treaties, of the United States, is, by the thirty-fourth section of the judiciary act, a rule for the decision of all cases to which it applies in the Federal Courts, and we must decide on this, precisely as the state courts ought to do. 2d Peters, 656, 413-14.

With these settled principles to control our decision, it only remains to apply them to the contract, on which the plaintiffs have obtained their judgment, and issued their execution.

The defendant, residing in Philadelphia, consigned to the plaintiff's, residing in New York, a quantity of turpentine, to be sold on his account. In anticipation of the sale, he drew a bill on the plaintiff's, which was accepted and paid. The sales did not reimburse them, they brought their suit to recover the balance, and obtained the judgment on which the *ca. sa.* issued. By the nature of this contract, the defendant undertook in law to pay this balance to the plaintiffs, and was bound to reimburse them at the place where the money was advanced. The plaintiffs had a right to draw for the difference between the amount of the bill so accepted and paid, and the proceeds of the sales; we can perceive no difference between this right in the plaintiffs to draw

for this balance, and the obligation of the defendant to pay, which arise from the nature of the contract; and a letter expressly authorising the drafts for reimbursement. The case comes within the principle settled in *Lanusse v. Barker*, 3 Wheat. 101, where Lanusse having advanced money in New Orleans, on the faith of letters written by Barker in New York, it was held that the money was to be replaced at New Orleans, and Barker was adjudged to pay the balance at the Orleans interest of ten per cent.

The undertaking then being to replace the money in New York, that was the place where the debt was payable, and the plaintiffs being citizens of that state, the discharge of the defendant, by the insolvent laws of Pennsylvania, can have no operation on the contract or the remedies to enforce performance. As the decisions of the Supreme Court are authoritative, we have not thought it necessary to go into a detailed examination of those in the Circuit Court. They will be found in accordance with the principles settled by the Supreme Court, on all the points arising in the case—1 *Peters*, 404, 484; 1 *Wash.* 340, 411; 3 *Wash.* 424, 443, 476; 1 *Gall.* 169, 375, 441; 3 *Mason*, 88.

Defendant remanded to custody.

From the Presbyterian.

HISTORY OF

## THE PRESBYTERY OF PHILADELPHIA.

From its origin, A. D. 1706, to A. D. 1831.

No. V.

These divisions were not confined to congregations, but extended to Presbyteries, and eventually to the Synod. Those who considered themselves aggrieved by the new measures, and who perhaps were alarmed at the accession of strength and reputation which the "new lights" were receiving from the warm co-operation of Whitefield, (on his second visit to America in 1739,) entered a formal protest before the Synod, accompanied by a declaration of their intention to withdraw from their connexion, unless they should afford them effectual redress.

The avowed object of this "Protestation" was to exclude the new lights from the Synod, and the reasons upon which it was grounded, were in substance as follows:

1. Their heterodox and anarchical principles, in denying that Presbyteries have authority to oblige the dissenting members, and in maintaining that Synods should go no farther in judging of Appeals and References, than to give their best advice.

2. Their protesting against the Synod's act in relation to the examination of candidates, together with their proceeding to licence and ordain in opposition to the act.\*

3. Their entering congregations without permission; sowing the seeds of disunion and alienating the minds of the people from their pastors.

\* This act, passed in 1738, directed "that young men be first examined, respecting their literature, by a commission of Synod, and obtain a testimony of their approbation, before they can be taken on trial by any Presbytery." In opposition to this direction, the Presbytery of New Brunswick licensed Mr. John Rowland, and notwithstanding the resolution of Synod that he should not be recognized as a regular candidate, Mr. William Tennent of Neshamoney invited him to preach in his pulpit. Some of the congregation complained of this proceeding, and the Presbytery of Philadelphia were convened to enquire into it. Mr. Tennent acknowledged that he did invite Mr. Rowland as before mentioned and withal justified the action; and after disclaiming the authority of Presbytery to take cognizance of the matter, he contemptuously withdrew. After which the Presbytery had discourse with the people, who had joined with Mr. Tennent in the forementioned action, admonishing them of the irregularity of the said conduct and exhorting them not to encourage or consent to any like conduct for the future. They came

4. Their rash judging and condemning all who do not fall in with their measures, both ministers and people, as carnal, graceless, and enemies of the work of God; as may be seen in Gilbert Tennent's sermon against unconverted ministers.

5. In persuading people that a call to the ministry does not consist in being set apart by ordination, but in some invisible workings of the Spirit.

6. "Their preaching the terrors of the law in such a manner and dialect as has no precedent in the Word of God, but rather appears to be borrowed from a worse dialect; and so industriously working on the passions and affections of weak minds, as to cause them to cry out in a hideous manner and fall down in convulsive-like fits, to the marring of the profiting both of themselves and others, who are so taken up in seeing and hearing these odd symptoms, that they cannot attend to, or hear what the preacher says; and then after all, boasting of these things, as the work of God, which we are persuaded do proceed from an inferior or worse cause."

7. Because they affirm that true converts are always persuaded of their conversion,—can give a narrative of their conversion as to time, place and circumstance, can judge of the conversion of others, otherwise than by their profession and life, and that people are under no particular tie to their Pastors, but may leave them for others, from whom they may receive more benefit.

This famous Protestation was signed by the following ministers: Robert Cross, John Thompson, Francis Allison, Robert Cathcart, Richard Sankey, John Elder, John Craig, Samuel Cavan, Samuel Thompson, Adam Boyd, James Martin, Robert Jamieson; together with a number of laymen. This protest was adopted by the Synod as their own act, and the "Brunswick party" were required to make suitable acknowledgments to the Synod, or to withdraw from their connexion. They accepted the latter alternative, complaining that they had been virtually excluded by the adoption of the protest. The members of the New York Presbytery not coinciding in this act of exclusion, proposed conciliatory measures; but as the parties disagreed in the premises, they requested permission to erect themselves into a separate Synod, to be styled the Synod of New York. This permission was granted in 1745, with an apparent interchange of amicable feelings.\*

*A Valuable Improvement.*—A steam ferry boat has recently commenced running from the end of Penn street, on the Monongahela river, to Steel's landing, on the Ohio, about three hundred yards below the glass-works. The boat and engine, we believe, are entirely new, and well calculated for the purposes for which they are designed—the engine seems to work admirably. There is sufficient room in the boat for four wagons, and as many foot passengers as can ever be expected to cross the river at one time.

On Friday last (July 1st), we took passage down to the lower landing and back—the whole time occupied in making the trip, including the delay at the lower landing, did not exceed twenty or twenty-two minutes; about nine minutes going down, six returning, and six or eight minutes below. In a pleasant morning or evening, the journey is quite refreshing, and the enterprise of our fellow-citizen, Joseph Irwin, deserves encouragement.—*Pittsburg Gazette.*

then to consider, what to do with regard to Mr. Tennent in this affair, and concluded that they could do no less than condemn said conduct of Mr. Tennent in inviting Mr. Rowland to preach as aforesaid, as irregular and disorderly, and especially when aggravated by justifying of said action and indecently withdrawing from the Presbytery."

\* These Synods were again amalgamated in 1758, with the resolution that all past differences should from that time, cease to disturb their ecclesiastical harmony.



## INDIAN HISTORY.

[FROM THE PEMBERTON MANUSCRIPTS.]

*Minutes of Conference between the Government of Pennsylvania and Teedyuscung, King of the Delaware Indians, &c.*

(Taken by Charles Thomson, Secretary for Teedyuscung.)

On Saturday, March 11th, 1753, Teedyuscung with eight Indians came to town—the next day he rested; and on Monday, March 13th, he sent to let the Governor know, that a Messenger was arrived from the Ohio, with News of Importance; he, therefore, desired to know when the Governor would be ready to hear him. Twelve o'clock was appointed; whereupon, Teedyuscung sent for Charles Thomson, who had before acted as Secretary for him, and desired he would go with him to the Governor, to take down the Minutes of what would be said. As C. Thomson did not care to intrude himself upon the Governor, without previous notice, especially as the Conference was to be at the Governor's house, Teedyuscung at eleven o'clock dispatched his two Interpreters to Mr. Peters, the Governor's Secretary, to inform him that as the matters he had to deliver were of great importance, he intended to bring his Secretary with him to take down the Minutes of the Conference. The Messengers, after two hours, returned with this answer from the Governor: That he was ready to receive Teedyuscung in the same manner our forefathers always had done. This not being satisfactory to the Chief, he immediately sent back one of the Messengers to acquaint the Governor, that he and his people were now gone to dinner, but if the Governor was ready to receive him with his Secretary, he would leave that and come directly; but that he was determined not to go without his Secretary, nor enter upon business without his taking Minutes. To this, answer was returned, that as the day was fast spent, it would be best to defer the meeting till to-morrow, and that in the mean time the Governor would consider what the King had said.

On Tuesday, March 14th, 1753. The Governor, about ten o'clock, sent to desire Teedyuscung might come to him about twelve. Hereupon Teedyuscung, who persisted in his resolution of not entering upon business without his Secretary, sent to the Governor to know what he had determined upon, relating to his bringing with him his Secretary; and to let him know that he would not go till he had an answer on that head.

Soon after the Messenger returned, and informed that the Governor had desired him to let Teedyuscung know, that it had always been customary for the Indians, when they came to town, to wait on the Governor, and inform him of the substance of what they had to say; that he only wanted to see Teedyuscung, and to shake hands with him, and that afterwards a time could be fixed for a public hearing.

Hereupon Teedyuscung went, and after some hours conversation it was agreed, that the Governor should appoint a time and place for a public conference, and that Teedyuscung then might bring his Secretary with him, to take down the minutes of the conference.

*At a Conference held with the Indians at Philadelphia, March 15th, 1753.*

PRESENT—The Hon. William Denny, Esq. Lieutenant Governor; Benjamin Shoemaker, Joseph Turner, William Logan and Richard Peters, Esquire; The Speaker and several Members of Assembly; a number of the Inhabitants of the City.

Indians—Teedyuscung, King of the Delawares; Tepiscakung, Welamekighink (alias James, a Messenger from the Western Indians), Moholiking, Galanamem, Captain Harrison, and other Delaware Indians.

Isaac Still, Interpreter; Moses Tetany, Assistant. Chas. Thomson, Secretary for Teedyuscung.

TEEDYUSCUNG, addressing the Governor, said: Brother, I hope your wise men, the Council and Assembly, are now present to hear what we have to say.

The Governor answered they were; and told him he was now ready to hear whatever Teedyuscung had to say. Then Teedyuscung taking out a large Calumet Pipe, filled it with tobacco, and rising said:

Brother the Governor, and all you wise men who are present, hearken to what I am going to say. At the Treaty at Easton, you desired me to hear you, and to publish what passed there to all Nations. I did hear you, and all the Nations far and near have heard. I told you I would give a halloo. I have hallooed—and all Nations in this part of the World have heard me; and as they were pleased with what I said, they have sent me this Pipe, and desired both you and me, as we were about a good Work, to smoke out of it. It was, said they, such a Pipe as this our ancestors used to smoke out of on such occasions; and we assure you, should any Cloud arise, if you will only smoke two or three Whiffs, the Cloud will immediately vanish.\*

Teedyuscung then lighted the Calumet Pipe, that was sent to him from the Indian Nations—first smoked out of it himself, then gave it to the Governor, who, with the Council and Members of Assembly and all the Indians present, smoked out of it.

Then taking out a Belt, Teedyuscung proceeded and said: Brother, I desire you would hear me, and I hope all who are present will attend to what I am going to say to the Governor.

I told you, Brother, when we consulted together, I would not do, as had been done heretofore, conceal or hide any part of it in my Bosom, but would hold it up and publish it, that all might hear and see it, and this I shall ever continue to do.

Brother, you may remember I promised I would give a halloo. I have done it, and all the Nations, you see represented by this Belt which I now hold in my hand, have heard what you and I have talked together, when we were promoting the good work. I have made all these Nations as one man—all the Indian Nations, from the Sun Rise to those beyond the Lakes, as far as the Sun Set, have heard what hath passed between you and me; and are pleased with it, and have said to me: Now, Brother Teedyuscung, we see that you and your Brothers, the English, have been talking about what is good. We, therefore, send you this Belt, to let you know that we who live, some at the Sun Rising and some at the Sun Set, have taken hold of the two ends of this Belt; and we desire you and your Brothers, the English, to take hold of the middle; and, when you are consulting together about what is good, to hold it fast, as our lives and safety do entirely depend upon it.

As he was delivering the Belt, he said: Now, Brother the Governor, as ten Nations joined before, and now eight more have taken hold of the Covenant Chain, we make in all eighteen Nations who have hold of this Belt.

Gave a Belt of ten rows, with the figures of two men wrought in the middle of it; which, Teedyuscung said, represented himself and the English taking hold of one-

\* That is, should any difference, or misunderstanding arise, by entering into a friendly conversation, and opening your minds to each other, every thing may be adjusted to satisfaction.

† That is from the Eastern parts of New England, to the West side of the Great Lakes.

‡ The Eight Nations are:—1. The Nalachewonna, who live back of New England, on the South side of the river St. Lawrence. 2. The Cagnawagas, who live, some upon the river Sorrel, and some near the East end of the Lake Ontario. 3. The Tawaas and Outawaas, who live about Lake Erie. 4. The Mahoos, who inhabit an Island in one of the Lakes. 5. Tweghtwees, who live between the Ohio and Aubash. 6. The Chippawas, who live west of the Tweghtwees. 7. The Shawanese, who live, some on Susquehannah, and some about Fort Du Quesne. 8. The Pontecatomas, who live to the West and North West of Fort Detroit, between Lake Erie and Lake Huron.



another by the hand. At each end of the Belt were figures, representing the Sun-rise and Sun-set, and between them eight figures in white Wax, representing the Nations who had taken hold of it.

Brother, continued Teedyuscung, hear me, and all that are present take notice.

You know I told you at Easton, that all the power was in my hand; and as I held what was good in my hand, I told you I would hold it up, and if I saw any willing to live peaceably and quietly, I would deliver it into their hands, and all the World should see to whom I did deliver it. Now Brother, I am heard by the Indians, and they are pleased, and have said to me: Brother Teedyuscung, you are now promoting what is good. We have looked to see who has been the Cause of the Darkness. There are only three men concerned—English, French and Indians. Now we have found one of the three has been the cause, and he shall die. After a pause, Teedyuscung said, that man is the Frenchman.

Brother, there is a good deal of News going backward and forward; but, though it be so, I have so stopped his Ears and blinded his Eyes, that though the News runs right before his Breast, yet he shall hear nothing of it. That is, though the Indians joined with me live beyond the French, and must pass by them to come to me, yet the French shall know nothing of what passes between us. Now Brother, I have blinded the Eyes of the French, and stopped his Ears—I hope you will do the same. [A Belt of twelve rows.]

Brother, and all present, attend to what I am going to say. You may remember you told me, I was not so capable a man as you were. I see you tell me true, you are a stronger man than I, and these words encouraged me. I have also received encouragement from the Indian Nations. Now Brother, press on with all your might, in promoting the good work we are engaged in; and let us beg the God that made us to bless our endeavours; and I am sure, if you exert yourselves and join heartily, God will grant a blessing—we shall live. [A Belt of eight rows.]

Brother the Governor, and all present: The Indians who live back encourage you and me. They have seen us hold Councils together, and they press us on to execute what we have begun. They have said to me: Do you, Teedyuscung, and your Brother press on, and don't be discouraged. It is a work of great moment which you have undertaken—when you begin a great work, you can't expect to finish it all at once. Therefore, do you and your Brother press on. Let nothing discourage you, till you have finished what you have begun.

Now Brother, as for me, I assure you I will press on, and though contrary winds may blow strong in my face, yet I will never turn back; but will continue to press forward till I have finished. I would have you do the same. One word more. I earnestly desire you to press on—let us proceed in the good road, and finish the work we have undertaken. I desire you would open and clear your Eyes, and look on our Wives and Children with pity and compassion, and finish the work as soon as you can. And though you may hear Birds singing on this side and that, you must not take notice of them; but when I speak, then hear me and lay it to Heart—for you may depend upon it, that what I say shall be true. And as for the chirping of Birds, don't mind them. [A Belt of seven rows.]

Then he arose, and taking the Governor by the hand said, at present I have no more to say. But when I hear any news you also shall hear it, for your Ear and mine are one.

The Governor replied: Brother Teedyuscung, I thank you for what you have now said; and as it is a matter of great consequence, I will take time to consider it, and will let you know when I am ready to return an answer.

A copy of the Conference being next day laid before the Assembly, they drew up the following Message to the Governor, and sent it to him on the 17th of March:

*A Message to the Governor from the Assembly.*

May it please your honour—We find by the Minutes of your Conference with Teedyuscung, on the 15th instant, which you were pleased to lay before us yesterday afternoon, that far distant and numerous tribes of Indians have freely entered into our alliance; and wait for nothing but the faithful performance of the articles of peace, stipulated on our part at the Treaty held at Easton, to join heartily in the British interest.

On this important occasion, when the peace of this and the neighbouring Colonies, and the success of his Majesty's arms in the ensuing campaign, seems deeply interested in your deliberations, we do assure you, that to effectuate these good purposes, and strengthen your hands, we will cheerfully contribute every thing which can be reasonably expected from us, to confirm the Indians in their good dispositions towards us; and we think it our indispensable duty, to put you in mind of your promises to them; that we may heartily join in demonstrating our good faith by our actions, and making it their true interest to preserve a perpetual intercourse and peace with us, and all others—his Majesty's subjects in North America.

Signed by order of the House,  
THOMAS LEECH, Speaker.

March 17th, 1758.

*At a Conference held with the Indians at Philadelphia, in the Council Chamber, on Wednesday the 22d of March, 1758.*

PRESENT—The Hon. William Denny, Esq. Lieutenant Governor, Robert Stretzell, Benjamin Shoemaker, Joseph Turner, William Logan, Richard Peters, Lynford Lardner, Thomas Cadwalader, Esquires; the Speaker with several Members of the Assembly; several inhabitants of the city; the same Indians as before; Conrad Weiser, Esq.; Isaac Still, Interpreter.

The Governor, addressing himself to Teedyuscung, said: Brother Teedyuscung—I have, with great attention, considered what you said to me on Wednesday last; and, as it was an affair of such great importance, I consulted my Council, and also laid it before the Assembly. I desire you, and the rest of your Brethren, the Indians, would carefully attend to what I am going to say. [A String.]

Brother Teedyuscung, all your Counsellors that are with you, and also the Messenger from the Ohio, hear me: "The other day you put me in mind of what passed at Easton, at the last Treaty; and I find, that you remembered your promise very well. I find also, by what you have said, that you have published the Treaty of Peace far and wide, into every part of the Indian country; and that to your own, and our great satisfaction, those Indian Nations have accepted the Peace Belt, and have sent to you the Calumet Pipe, that, from old times, has been made use of on such good occasions, and desired you to fill it with good tobacco, and smoke it with your Brother at Philadelphia; and always to smoke it with me, whenever any dark Clouds should at any time arise."

Brother—This News gives me, and all of us, the greatest pleasure, and we receive it from your hands as a token, that you are a faithful agent and friend of Pennsylvania, and have done the utmost in the discharge of your trust.

Brother—I smoked with a great deal of pleasure out of the Pipe, that the far Indians, formerly our good friends, sent you on this joyful occasion, and found the tobacco exceeding good; and I must now desire you for them, as you represent them, to smoke out of my Pipe, in which I have also put some very good tobacco; such as our ancestors used to smoke together, and was first planted here, when the country was settled by Onas. We have found by experience, that whatever Nations smoked out of it, two or three hearty whiffs, the Clouds that were between us always dispersed; and so they will again, as

often as they arise, if these Indians will smoke heartily out of it.

[Here the Governor smoked, and gave the Calumet Pipe to Teedyuscung.]

Brother Teedyuscung, "You refresh my memory as to what was said at the last Treaty, that things should be done no more in private as had been done heretofore, and that you would not conceal any part of it, but publish it before all the world."

"You also put me in mind of your promise of giving a Halloo, that might be heard by the most distant nations, and that you have done it accordingly, and that all the nations, represented by this Belt, I now hold in my hand, have heard you, and know, and approve of every thing that has been done by us, and that you have made all those nations as one man."

Brother, you also put me in mind by it, that those far Indians have sent messages to you, heartily congratulating you on the good work you have begun with the English, and encouraging you to perfect it, saying that their and our lives depended upon it.

Brother,—His Majesty King George, embraces these eight Nations and receives them with open arms into the Union established between you and us. I now look upon the Union to consist of eighteen Indian Nations. And by this Belt of Wampum, I in behalf of the Government and people of Pennsylvania, thank you for the good and kind part you have taken, and confirm all that you have done and shall look upon those Indians all as the hearty friends and Allies of the English, I think with them that our lives and safety depends upon our mutual sincerity and care, and assure you that I shall hold it fast with all my might, and as long as the sun endures. [Gave the Peace Belt.]

Brother Teedyuscung,

"You put me in mind of what passed at Easton, when you acquainted me that full power was in your hands, and that you had made the best use of it and, thereupon the Indians have sent you messages expressing their high satisfaction, and desiring you to press on. They tell you further that they have enquired who has been the cause of the darkness, and said there were three concerned in it, English, French and Indians, and have found that one of these three had been the cause of it, and added, that it was the French, and agreed that he should die, and have thereupon stopped all correspondence with him, have blinded his eyes and stopped his ears, that tho' the messengers go thro' his country to and from you Teedyuscung and the English, yet he shall know nothing of the matter."

Brother, I am glad you have found out among yourselves that the French were the cause of the darkness that overspread this country. The King of England found it out long ago, and therefore made war against them.

This step, that our Brethren the Indians made, is a wise and prudent step; I am convinced by it, that the same good sense that has been among your ancestors is not extinguished but remains with you still. I embrace this good article of News. It shall be recorded in our Records, and I thank them and you very kindly in behalf of his Majesty's subjects. I assure you by this Belt, that we on our side, will also blind his eyes and stop his ears, that he shall never know what passes between us even though our messengers should be obliged to cross his own Country. In confirmation whereof I give you this Belt. [Here gave the Belt.]

Brother Teedyuscung, "You desired that all that were then present might hear and you put me in mind that I told you I was stronger than you, and that you agree to it and that my words gave you encouragement and you desire me to press on the good work we were engaged in and exert myself to the utmost, saying that nothing should discourage you and that if we joined heartily together and the God that made us would give it his blessing we might promise ourselves success."

Brother, I acknowledge what you said is true; I

have not forgot what I said of our abilities; I shall renew what I said then, and say now again, that we are well able. I am pleased that you offer to join with us in prayer to the Most High, for success on our endeavours. Do you continue to do your part and nothing shall be wanting on mine. I have the pleasure to acquaint you that the Representatives who are now present, have assured me that towards bringing to perfection the great and good work of peace, which we are now engaged in and to confirm his Majesty's Indian Allies in their good dispositions towards us they will cheerfully strengthen my hands and do every thing which can be reasonably expected from them. And having received these great encouragements you may depend upon it that the Government will not fail to perform all their engagements and to consult and promote the good of the Indians in every respect. [A Belt.]

Brother Teedyuscung, "You acquainted me that the Indians who live far back, have sent messengers to you to encourage you and me in the good work we have begun and said that they had seen us sitting in Council together, and though it should be a work that would require some time before it might be perfected, they intreated we might not be tired."

You further assured me on your part, that you could press on and go through with it, though contrary winds might blow strong in your face, and earnestly persuaded me to do the same. You added one word more and earnestly desired me to proceed in the good road and finish the work we had undertaken. You begged of me to open and clear my eyes and look upon our wives and children with pity and compassion, and for their sakes finish as soon as possible.

Brother, I am very glad that our good understanding reached to such distant Indians. It was always my thoughts that they would one day repent that they lent their ears to the French King who poisoned them; I am very glad that by the Divine favour, this happy day is come so soon; and that those remote Indians are so earnest for us to proceed, that it seems they would look upon it as a misfortune if the work should not be soon finished. I assure you brethren by this Belt, that I look upon this to be a most important work, the most so that men can be engaged in, that nothing shall be wanting on my part, though contrary winds should throw hail, snow and rain in my face, it shall not stop me. My eyes are ever looking upon our poor wives and children and for their sakes nothing shall be left undone that is in my power. I pray the great God that made us to bless our mutual endeavours and crown the good work with success. In confirmation of what I say, I give you this Belt of Wampum.

Brother, I agree with you, that there are bad birds in almost every bush, and that their chirping ought not to be minded; though there should be a thousand birds on both sides of the road, yet the traveller who is intent on getting to the end of his journey will not hearken to them. I shall therefore disregard every thing but what will promote the main point, peace and the good correspondence that is between us. This chirping of birds must not discourage messengers sent to and fro, only let us take care that we send men who are faithful and love to speak truth; for, as you say, you hear with our ears so we hear with yours, and a great deal depends on the characters of the messengers and their regular proceedings. I desire you by this String of Wampum to remember this. [A String.]

Brother, You have made use of a great many messengers and they have gone to different countries and different Tribes of Indians, I desire to know the names of your messengers, and of the Indian Nations they have sent to, that they may be put upon our Records and the messengers reward for their trouble. [A String.]

The Governor concluded with saying I have now fully answered what you said to me, and I desire to know if you have any thing further to propose.

Whereupon Teedyuscung arose and spoke as follows,

Brother, hearken to me. What you have told me brother, I have really felt at my heart. It is nothing but good and right and I will accept it.

Brother, and all you my brethren take notice what I am going to say to you. I am not going to say any thing new, but only to put you in mind afresh of what we proposed and which passed at Easton.

Brother, when I look and consider what we did discourse about at Easton; and when I look on our wives and children I can find no better way than this and what must be done if you will now act according as we proposed.

This matter affects my heart and lies deeply there, and I hope it will affect your's likewise.

Brother, now you must consider I have a soul as well as another, and I think it proper you should let me have two Ministers to teach me, that my soul may be instructed and saved at last. Brother and I desire, moreover, two Schoolmasters; for there are a great many Indian children, who want school-masters. One, therefore, is not sufficient to teach them all, so that they may be sufficiently instructed in the Christian way.

Brother, I have a body as well as a soul, I want two men to instruct me, and show me the ways of living, and how to conduct temporal affairs, who may teach me in every thing, to do as you do yourselves; that I may live as you do, and likewise who may watch over me and take care of my things that nobody may cheat me.

Brother, I hope you will heartily join in this which I have now said—I desire you and I may now lay the foundation of this good work upon a rock, and not upon the sand; for if we don't build it on such a good foundation, it will tumble to pieces.

I have not told you all fully—I have only mentioned some short heads of what I intended to say—I have here but few Counsellors; but we have consulted together, and have put down at large in writing our whole mind, and this paper will show it.

Here he delivered a paper, which was read in these words:

Brothers—We formerly told you, that we desired to be instructed in the principles of the Christian religion, and requested that we might have Ministers and School-masters supported amongst us for that purpose.

We now renew our request; and as many of our Brethren are ready to lay hold on the Chain of Peace, we think it necessary to inform you, that less than two Ministers, besides School-masters, will be insufficient for that purpose; and though we expect our Brethren, the English, will support them, yet as they are designed for the benefit of us and our Children, we judge it both reasonable and necessary, that we should have liberty to chuse them ourselves; after having made the best enquiries we are able into the characters of those who are to watch for our Souls, and to whose care our eternal interests are, under God, to be committed. This, Brothers, is an affair that deserves your most serious attention, and we hope it will be seriously considered by our Brethren the English.

Brothers—you are wise men. You tell us the Christian religion is good, and we believe it to be so; partly upon the credit of your words, and partly because we see that some of our Brother Indians, who were wicked before they became Christians, live better lives now than they formerly did. But Brothers, we have got Bodies as well as Souls, and though our time in this world is short, it is nevertheless necessary to provide for ourselves and families while we are in it. This is what our own reason and experience teaches us, and we are confirmed in our sentiments by the universal practice of Christians as well as Indians; and since we see our Brethren, the English, manage the affairs which concern their worldly estates and interests with more wisdom than the Indians do. Our next request is, that our Brethren will support two honest men amongst us, to be our Counsellors and Instructors in temporal affairs, and at the same time to

be the Guardians of our interests. And that we may be the more certain, that we are not deceived by our Counsellors, we think it necessary to have the choice of them ourselves. We desire to have two, that if one should prove a dishonest man, the other may prevent his imposing on us. And we hope our Brethren, the English, will put the support of our Counsellors on such a foundation as will leave them under no temptation to betray our interest, for the sake of their own temporal gain. And, as an additional security for their acting honestly, we shall judge it necessary before admitting them into our service, that they solemnly swear, after the English manner, that they will conscientiously perform the trust reposed in them, according to the best of their skill and understanding.

Brothers—These are things that appear to us so just and reasonable, that we hope our Brethren, the English, who profess to have a sincere regard both for our temporal and eternal interest, will readily agree to them. A friendship that is founded on Justice and Equity, where a proper regard is had to the interest of both Parties, may reasonably be expected to prove durable, and such we desire may be the friendship between us and our Brethren, the English. But a Peace that is founded on Injustice and Deceit, must end whenever the fraud is discovered.

Brothers—These are things that lay heavy on our Hearts; let them sink deep into the Hearts of our Brethren. And if they act conformably to these sentiments, both they and their Children, as well as we and our Children, will feel the good effects of them, till the Sun ceases to shine, and the Rivers to run.

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mark.

After the paper was read he added:

Brother—Here is a Messenger who came from a great distance. He will wait for your answer, that he may have good News to carry to the Indians. And, as he has a great way to go, I desire he may be dispatched as soon as possible.

To which the Governor replied:

Brother—I shall take your request into consideration, and give you an answer with all possible dispatch; and, at the same time, I shall have some other things to say to you.

On the 23d of the month, the Governor ordered a copy of the foregoing Minutes to be laid before the Assembly, with the following Message:

*A Message from the Governor to the Assembly.*

Gentlemen—I lay before you the Minutes of yesterday's Conference with Teedyuscung. You will find at the close, he reminded me of the promises made to him at Easton, of an allowance for Ministers and School-masters, for the use of the Indians, when they should be settled at Wiomink; and has now made a further request that two persons might be all wed them for the management of their affairs in general. As they only stay in Town to receive my answer, I desire you will enable me, as soon as may be, to give them a satisfactory one; that our friendly Indians may see the Government does not refuse them any reasonable request.

March 23d, 1758.

WILLIAM DENNY.

[To be concluded.]

This morning (July 8th), Mr. James Riddle caught from the river Lehigh, a little above this village, a chub fish between two and three pounds weight. When cleaning it, a snake, of the water species, twenty inches long, and partly digested, was found in its stomach.—*Mauch Chunk Courier.*

*A Large Pike.*—On the 4th instant, Mr. George Butlear, caught a pike, opposite the Black Rock, in the Lehigh, about four miles below this place, measuring twenty-two and a half inches long, and weighing two pounds and twelve ounces.—*Id.*



## EMIGRATION TO THE WEST.

Notwithstanding the vast tide of emigration to the west, it is rather matter of wonder, when all the circumstances are taken into view, that it is not even much greater. In many of the old counties in this state (without carrying our views farther), we see families cut up what had been a large farm, of a thrifty ancestor, some hundred or hundred and fifty years since, into small patches of ten, fifteen or twenty acres, to serve all the increasing descendants. On a small lot of this kind, we often find a man thus seated and circumscribed, with a large family of young men, just ready as it were to enter on the stage of active life. Too often, for want of a suitable object to engage their attention, they pass the season of youth without acquiring any stock of either science or property, and linger out the remainder of their lives in listless idleness. Neither their mind nor exertions have room to expand—they live in a contracted circle, pursuing the same monotonous and uninteresting round. To one thus circumstanced, and possessed of sufficient spring and energy of mind, what a field does the western part of Pennsylvania open? We need not go further than the county of Venango, for suitable objects upon which such an one could exert his energies. Factories of various kinds could be established, much to the advantage of the individual himself and to the public. There are large tracts of land of an excellent quality offered for sale, at from *one to four* dollars an acre. The most profitable stock farms could be purchased, in eligible situations, for a small sum of money, upon which a handsome advance could be realized. A farm of good land, of four, or five, or eight hundred acres, could be procured in some of our best neighbourhoods, for the price of ten or twenty in the crowded parts of the state, which would afford the purchaser an outlet for enterprize and exertion—an object to engage his attention, and on which a very large advance could be very shortly realized on his capital; and in a few years, he would be able to give to each of his children, instead of a mere *patch*, which could never furnish the least inducement to improve, a handsome farm well stocked, in a rapidly growing country, where there is every inducement that health, wealth, and happiness can hold out to industry. Our county town, the point where the great Erie canal meets the steamboat navigation of the Allegheny river, will always afford to the farmer a ready market, and to the mechanic constant business, as well as market for the produce of his labour. How many are there in our eastern counties, living on rented farms, who could settle themselves to much advantage for themselves and children here, if they were aware of the true state of the country. In many instances, land could be purchased at such credits, that the price could be paid out of the land itself, and very little, if any thing, exceed the rents paid, in many cases in the east. Many of our best citizens have paid for their land, by their own personal labours on the land itself, in a few years, and are now independent freeholders, instead of mere renters, as they must have remained in an old settled neighbourhood, where land had raised to a high price. Besides, there is a peculiar pleasure inseparably connected with the idea of opening a new country, and the wide prospects it is continually opening to its inhabitants. We would be highly gratified in seeing still more of our eastern citizens coming among us. We believe, a great many farmers and mechanics, who are moving along either as renters upon farms or journeymen in mechanics' shops, who could seat themselves here, and very shortly set up independently for themselves. We invite them to come and examine the advantages held out now by the country. One objection, which has heretofore operated with many, is now removed; that is, the difficulties in the titles. As indisputable titles to land can be given here, as any where in the state, or any place else.

If the true state of our country were fully understood, we are satisfied that emigration here, would be even

much greater than it is. It would be diverted here, instead of to Ohio, Indiana, Michigan, &c.—*Venango Dem.*

## PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, July 21.

COMMON COUNCIL.—Mr. Johnson, as chairman of the paving committee, made the annexed report and resolution, which were agreed to:

The paving committee, to whom was referred the petition of Elizabeth Lane, praying payment for certain curbstone delivered for the use of the Hebrew Congregation and others, in the year 1818, report—

That from the best information the committee could obtain, the corporation have not at any time become responsible for the payment of said curbstone.

The committee, therefore, ask leave to be discharged from any further consideration on the subject.

Mr. Baker, as chairman of the committee on markets, made the following report and resolution; which were passed by the Common Council, but were non-concurred in by the Select Council:

The committee on markets, to whom was referred the petition of a number of persons, requesting a market-house to be built in Lombard street, between Tenth and Eleventh streets, report—

That they are of opinion a market in that section of the city is much wanted, in consequence of the great distance that persons residing in that part have to go to market, in wet or stormy weather; and the lot owned by the city, being only seventy-eight feet deep, if rented, would produce but one thousand dollars per annum. Should Councils conclude to erect a market on said lot, it would produce a much larger revenue to the city, and a number of persons be accommodated—they offer the following resolution:

*Resolved*, That when the shops and materials can be removed off said lot, Councils take the same under consideration.

Mr. Baker, from the same committee, also made the annexed report and resolution, which were agreed to:

The committee on markets, to whom was referred the petition of a number of persons to rebuild the Second street market, report—

That the stalls in said market are all let until the first of January, 1832; it would, therefore, be impossible for Councils to make the change, and offer the following resolution:

*Resolved*, That the committee be discharged from the further consideration of the subject.

Mr. Lehman, as chairman of the directors of the poor tax, made the annexed statement for the benefit of Councils:

The directors of the poor tax, report—That on the second Monday in January last, the guardians of the poor for the city and county of Philadelphia, submitted to them an estimate, showing that "the probable amount of money required for the relief, support, and employment of the poor, for the current year," would be about \$92,000. The rate of assessment was, therefore, fixed at twenty-three cents on every hundred dollars, agreeably to the county assessment, and the same rate of personal tax as established by the county, which together with the tax on dogs, will produce the gross sum of \$91,828 54 cents—levied as follows:

On East Kensington,.....	\$1,900 96
West Kensington,.....	1,850 62
Unincorporated Northern Liberties,.....	2,181 29
Incorporated Northern Liberties,.....	11,100 05
Penn Township,.....	2,329 57
Spring Garden,.....	4,874 05
East Southwark,.....	3,449 76
West Southwark,.....	2,808 40

Making together,.....\$30,494 68

And on the city of Phil., the balance of 61,333 86

Total,.....\$91,828 54



Mr. Johnson offered the annexed resolution, which was passed by both Councils:

*Resolved*, by the Select and Common Councils, That the city commissioners be, and they are hereby directed, to cause Exchange street, from Chestnut street to Carter's alley, to be paved, and charge the expense to appropriation No. 1.

A communication from the city commissioners, with accounts for the last quarter was received; and also one from the city clerk, which were referred to the committee of accounts.—*Philadelphia Gazette*.

For the Register of Pennsylvania.

# THE ALCHEMIST.

No. XXIV.

Orator *vir bonus, dicendi peritus*.—*Cato*.

*vis illa dicendi molitum instruxit, nihil sit publicis privatisque rebus perniciosius eloquentia*.—*Quintilian*.

In my paper of last week, I took occasion to point out some particulars in that rare combination of natural endowments, and acquired accomplishments, which enter into the character of an *orator*. At the close, a reference was made to the advantages of a high and pure moral sensibility, in securing success in that most dignified and honourable career of human exertion.

Using the privilege of age and gray hairs, I often unconceremoniously drop in, on a Saturday evening, upon the charming family of my friend Liberalis. On calling last week, it happened that the "*Register*" had just found its way into the parlour; and his son Modestus, who has recently finished his collegiate course with distinguished success, was cutting the leaves and passing over, with that degree of interest which a youth of nineteen is apt to exhibit in a bill of mortality, the valuable statistical tables and calculations of our worthy editor. His eye at length found a resting place; and I was not displeased to observe, by a furtive glance, that it had been arrested by two Latin quotations. He had not, it seems, been so far disgusted by his academical studies, as to turn in contempt from every thing in the garb of classical learning. This was one source of my gratification. Another will probably be found by the reader, in that interest which an old man is apt to feel in the welfare of his youngest offspring. A third was derived from the hope, that the lucubration on which he was apparently dwelling with such deep meditation, might be, in some humble measure instrumental in forming and strengthening good resolutions, respecting the career for which, I knew, he was destined.

The incident just related, will account for a recurrence to the subject of that paper; and a desire to impress on my numerous young friends, who, at this season, are coming forth from their various academic retreats, full of ardour and devotion to fame, to claim their places in the ranks of busy manhood, a due sense of their future responsibilities, will furnish to the general reader a sufficient apology for enlarging on some of the topics already presented, and for varying the aspects under which the oratorical character may be regarded.

For the acquisition of excellence in every department of human exertion, a just estimate must be formed of the qualities and talents demanded for the fulfilment of those duties, which the station we would occupy, neces-

sarily imposes. But, it is important to do much more, than form a high opinion of the office to which we aspire, and of the character of him who should fill it; otherwise, self-love would readily convince the most ordinary man, that he had qualifications for the highest duties in social life. It must be seen, that personal labours and sacrifices will accompany all the honours which we may be so happy as to acquire; that the rank we would attain is beset with difficulties, often beyond all proportion to the pleasure, the honour, or the profit of success. We must be made to realize, that, on the one hand, good intentions, without high endowments, cannot fit one for the responsibilities of elevated and difficult positions in life; and that, on the other, the greatest intellectual powers cannot avail, unless accompanied by those stern *moral* attributes, which give consistency and permanent influence to the efforts of mind.

Losing sight of either of these truths, the youth who aspires to eminence and fame will learn, probably too late, that to hope for the reward of high endowments, without being at the pains to cultivate them, must assuredly end in mortification, if not in disgrace.

In contemplating the nature of the duties, which an orator, in our country, may be called upon to perform, we shall find the urgent necessity of joining to the most ardent feelings in favour of virtue and patriotism, the strongest sense of justice, and the most inflexible rectitude of purpose.

The peculiar nature of our institutions demands, as did those of ancient Greece and Rome, that the functions of the politician should be united with the labours of the public speaker. Hence the term *orator* is gradually becoming synonymous with *statesman*; and hence, whatever qualifications are necessary for the latter, may be regarded as almost equally indispensable to the former. This fact shows what estimation the orator of our times ought to place upon the moral attributes of his character. It will likewise suggest some of the abuses to which his profession is subjected, and convey an intimation respecting the range of studies, which ought to command attention, at the very commencement of his career.

In the prosecution of his civil and political duties, the orator must not unfrequently be called upon, by reason and conscience, to urge the adoption of measures unsatisfactory to many of his contemporaries, and adverse to the wishes of his personal and political friends. He must expose the crafty and sinister policy of cunning demagogues, and strip their illusions of their artfully woven disguises. He must meet, with calmness and equanimity, the occasional frowns of the misguided multitude, while he combats some ruinous popular delusion. He must stand forth the advocate of truth and justice, though the wrathful looks of the oppressor, or the murmurs and reproaches of the thoughtless crowd, would drive him from his magnanimous resolves. Here he will have occasion for all that moral courage, which the greatest of mankind have ever exhibited. He must verify that honourable testimony of Flaccus:

*Iustum et tenacum propositum vium,  
Non civium ardor, prava jubentium,*

*Non vultus instantis tyranni,  
Mente quatit solidâ.—*

But his opposition, to what he deems destructive error, must not be the offspring of mere obstinacy, nor even seem to result from a conceited wish to appear superior to the common feelings, and prejudices, of his fellow-men. It has, with truth, been said, that "the popular harangues of Demosthenes, and of Cicero, present living pictures of the government, the interests, the manners, and the genius, of their respective nations."

That the modern orator may resemble them in this important point, he must, in addition to the accomplishments before enumerated, gain a thorough acquaintance with all the motives which actuate and determine the conduct of his fellow-beings; otherwise, the most splendid efforts of his genius may be either wholly ineffectual, or absolutely prejudicial to his cause.

But here a broad distinction is to be made, between him who understands and guides the *opinions*, and him who only knows how to warp the *prejudices* of mankind. That mere tact in managing the latter, may, for a time, give a degree of ascendancy to its possessor, there is but too much reason to acknowledge and lament; but that such power can bestow lasting honour, on him who condescends to employ it, can by no means be admitted. The reason is obvious. The managing of prejudices, requires only a certain portion of low cunning, while the direction of deliberate opinions, demands the highest efforts of honesty and discretion. The temporary dupes of the former, cannot long be made to respect their deceivers, and will often visit their delinquency with a tenfold recompense of contumely and reproach. Still, while the exciting nature of those deliberations, in which high and grave questions of public policy are discussed, will ever prove a strong inducement, in popular systems of government, for the cultivation of eloquence—it will, likewise, offer an allurements, of no little strength, to the efforts of inferior, or of unprincipled minds, impelling them to seek cheap and easy substitutes for true eloquence, to bring before the world factitious displays of passion, strains of frothy declamation, and the swelling but empty harangues of the mere rhetorician. These wares and merchandizes of his craft, the wordy mimic of an orator will accompany with a reasonable portion of the most artificial gestures, and a full display of that modest assurance, which men of worth generally characterize by the name of consummate impudence. Whatever be the subject of discussion, he will lose no opportunity of making digressions from the straight path of his discourse, to exhibit to the admiring gaze of his audience, the striking traits of merit, by which that important personage, *himself*, stands distinguished from every other specimen of the genus *homo*.

In the absorbing interest of political controversy, there is too much to rouse the enthusiasm, and too little to chasten the imagination; too much to elicit the keen rebuke and the tart repartee, and too little to refine the diction and quicken the moral sensibilities of antagonists. The votary of this species of oratory must, therefore, guard the torrents from his heart, with a restraining

jealousy, rather than seek, as some appear to do, an artificial excitement to quicken its pulsations. But let him, above all things, eschew that atrocious spirit of political immorality, too rife among half-formed candidates for popular favour, which places as the foundation of its throne, the abominable doctrine, that what is foul and disreputable in morals, may nevertheless be "all fair" and honourable in politics. A doctrine fraught with more lamentable consequences to the private worth, and public usefulness of political personages, can scarcely be imagined. To take away the distinctions of right and wrong, in regard to the highest interests of human society—to reduce all the motives of patriotic action, down to a level with the sordid calculations of individual or party interest: what is it, but to strike from our laws their sanction—from our manners, their republican purity—from our recollections of the past every proud association, and from our anticipations of the future every magnanimous hope? Who would now refer, with complacency, to the undaunted moral courage of that generation of sages, whose legacy of freedom and independence to their country, is already passing in bright reversion to the whole civilized world, did he believe *them* to have been actuated only by such mean and grovelling notions as those, which some modern politicians have not blushed to avow? Such a rule of action, is fit only to regulate the conduct of *banditti*; and can never be generally received, except where political parties approach that character.

Nothing will contribute more to secure one from the influence of so abominable a principle, than the liberal course of study which should be made the basis of his oratorical character. To become an orator, then, in the ancient and true sense of the word—that is, a civilian—let the treasures of history be made the foundation of your political learning. Draw from the wisdom of all ages, and all nations, the results of an extended experience. Explore next, the wide field of natural and national law. Supposing my young friends to be already fully conversant with the precepts of Vattel and of Burlamaqui, let me advise them not to be frightened at the names of Grotius, Pufendorf, Rothenforth, and Bynkershoek; but to look these venerable men full, though respectfully, in the face—listen with inquisitive ardour to all their citations of ancient authority; and hear the deductions from their profound researches, with that sincere desire of improvement which must form the groundwork of all efforts to establish, and perpetuate, a happy form of civil institutions. Let the learning of Domat be superadded to the precedents of Blackstone, and the disquisitions of De Lolme made the companion of Tully's reflections on a republic. They will then be in a situation to comprehend that constitution, with the language and general character of which, they have doubtless long ago become familiar. They will be ready to study, with intelligence and success, the works of our own masters of constitutional law. They will, in short, have entitled themselves to lay some claim to the respect, the consideration, and the suffrages of American citizens.

From the Venango Democrat.

### VENANGO COUNTY.

Messrs Editors:—Having been at an early period in the history of your county, one of its residents, some fifteen or twenty years since, and having lately visited the same neighborhood, and spent a few days with the citizens, I was forcibly struck with its advance in, improvement within that time, in many respects; and supposed the few scattering hints below would not be entirely uninteresting to your readers, if you should think proper to give them a place in your useful paper.

At the time I left this county, an improvement exceeding ten or fifteen acres of cleared land was very scarcely to be met with, and in reaching a spot bearing any marks of improvement, the traveller would pass through a large space of wilderness—a house or barn with a shingled roof could not be found in all that portion of the county with which I was acquainted; a small cabin house with a clapboard roof and a single room being the best habitation the country could then afford. There was but one single road through the whole county, on which more travelling could be done than on horseback, and the bridge paths were extremely difficult to be found. There was even then scarcely a gristmill to be found,—provisions were generally brought on horseback from Westmoreland or Allegheny counties. There were no schools—boys of ten, fifteen or twenty years of age could be found who could scarcely read, and who had never perhaps seen a newspaper, there being none printed within sixty miles, and no mails by which they could be conveyed. The implements of husbandry were very few indeed—scarcely a sheep could be found in the whole county. How different now! Large improvements spread before the eye of the traveller further than his view can extend—well fenced fields extend in every direction, filled with a rich and luxuriant harvest, to which are attached comfortable dwellings and other buildings—mills are erected in every neighborhood of a few miles in extent—there is none who may not enjoy the advantage of schools sufficiently convenient—hardly a child of six or eight years of age is to be met with, who cannot read distinctly, and many can parse well in the English Grammar. There are few claiming the name of respectable inhabitants, who are not subscribers to the newspaper printed in their own county, which contains, besides a large portion of useful local information, and moral selections, all that is interesting in distant parts of the union, and in foreign countries, taken from the eastern city papers, brought in five or six days by the mails, from the time they leave the city presses. General information is thus spread among the people, and with it a taste for reading and literature. A turnpike road runs through your county—good wagon roads in various directions afford a comfortable means of travelling. Large flocks of sheep may be seen on almost every farm, from which the industrious inhabitants manufacture their own clothing, and send a considerable quantity to market.

I have the pleasure of seeing among my old acquaintance, respectable old men, who now own large farms, with all the conveniences of life about them—numerous and happy families, raised by their own personal exertions—fine houses and barns; mills and other improvements, the works of their own hands, patents for one, two or three, four hundred acre tracts of land, paid for by their industry, who settled in the woods, without a cent's worth of the world's goods—carried their flour and meat, many of them on a single horse, a distance of more than fifty miles, struggled against indescribable difficulties, hardships and dangers and who could not find a neighbor within eight or ten miles to converse with, or to whom they could disclose "*the story of their toils.*"

These are cheering reflections, and highly creditable to a portion of your inhabitants; and which I could wish I had time and ability to pursue further. If I remain

longer among you, and you should think these worthy of notice, I may give some further hints more in detail hereafter.

Yours, &c.

A TRAVELLER.

From the Union Times.

### AGRICULTURAL.

*Mr. Printer:*—Several circumstances relating to our farming affairs, seem to make inquiry necessary. The wheat is more infested with cheat, than usual.—Whence comes cheat? I have made inquiry of many of my neighbor farmers, and I have received different answers. Some say the cheat grows from its own seed, like any other vegetable. This by others is denied, and cheat is said to be incapable of vegetation.—How is the fact? Will cheat grow? I should be glad to have the evidence of those who have tried it.

Others say that wheat turns into cheat, why, or why a part, and not the whole, does not seem to admit of explanation. One says the small grains of wheat turn to cheat, and if the seed was cleaned by a proper sieve to let the small grains through, there would be no cheat. Is this true? How are the facts?

I have made a few observations, and will give the facts, for I have no theory to support, not having made up my mind on the subject. On a lot of four acres about half of which was in corn and half in clover, last year, there is some cheat through the whole of it; I can't see that there is less or more on the corn ground, than on the clover sod. But there are a few places, where the water stands after a heavy rain. On one of these perhaps three rods square, there is more cheat than on an acre of the rest of the field. To the best of my knowledge there was not a grain of cheat among the seed. How do those facts stand with any of the theories?

A neighbor has a lot, a part of which was in potatoes and a part in clover last year. The part which was in potatoes, has the strongest wheat, and has also by far the most cheat.

Another potatoe lot in town was sown with the same seed, and has a great portion of cheat. Another neighbor got of the same seed, and sowed a piece of newly cleared land, and there is no cheat to be seen.

Another lot of about five acres, had corn, then wheat and rye last year, and is now in clover. There was no cheat among the wheat, and last year among the rye, none that attracted notice. Now among the clover is a proportion of cheat fully equal to what I see in any of our fields. If wheat turns to cheat, does it lie still a year, and grow the year following?

Will rye turn to cheat? I have a lot of rye, which was two years in clover, and in rye before that. It has not been in wheat for seven years or more. It has as much cheat, as is to be found in wheat.

A neighbor has a lot of wheat on ground last year in clover, and ploughed once late in the season, and the wheat sowed on the same or the next day, and this some time in October. It has scarcely a single head of cheat. Had the mode of cultivation, or rather as generally supposed, the want of cultivation, any thing to do with the absence of the cheat?

I wish your readers would give their observations. It is important to know, whether cheat grows from its own seed, whither it grows from wheat, and under what circumstances. Whether it is owing to the quality or mode of tillage of the soil; or to the climate and seasons? And more than all, it is important to know, whether we can do any thing to keep our crops free from it. Or whether as for rain and sunshine, we are in that matter, entirely dependent upon the arrangement of a wise and bountiful providence. Those are things worthy of the attention of farmers and I hope they will not be entirely neglected. If we can do any thing, we ought to know what; and if not, we must take what is sent without repining.

A FARMER.



## LAW CASE.

STACY, JR. vs. WETHERILL &amp; Co.

In the District Court for the city and county of Philadelphia, tried on the 18th of October, 1830, before the president of the court, and a special jury.

This was an action on the case, and the plaintiffs claimed to recover the amount of damage suffered by them, as owners of the brig *Heroine*, in consequence of the defendants having caused to be laden on board of said brig, a box containing aquafortis, without communicating to the plaintiffs the contents of the box.—The circumstances of the case, as they appeared on the trial, were as follows.

In May, 1826, the *Heroine* was in the port of Philadelphia, and was receiving freight for New Orleans.—The defendants shipped by her three boxes and eight barrels, marked F. M. Jr. also marked glass. But, no communication other than that, was made of the contents. The boxes were received by the mate, and carefully stowed by the stevedore.

The brig sailed for New Orleans, and when abreast of Bombay Hook, at about noon, it was discovered that there was something on fire. After cutting away the larboard side of the quarter deck, and poring in water, it was discovered that one of the boxes, which had been shipped by the defendants, was on fire. It was got on deck, and thrown overboard; the other two boxes shipped by the defendants were brought on deck, opened, and found to contain bottles of aquafortis.

The vessel was detained off Bombay Hook for some hours; proceeded on her voyage, and arrived at New Orleans. The cargo was landed under the inspection of the wardens of the port; a part of it was found to be damaged, and the damage was paid for by the owners of the vessel; and at considerable expense to the owners, the brig was repaired, after some detention. To recover damages for the injury thus suffered, this action was brought.

A number of witnesses were examined on the part of the defendants, for the purpose of proving that the goods were skilfully and perfectly packed—that when in the very act of stowing them, the stevedore was desired to be careful in handling them—that it had not been the practice of the defendants, or of others, sending this article aboard, to mark the contents on the box, or to communicate to the owner or master of the vessel, the nature of the contents.

Evidence was given on the part of the plaintiffs, to show that it was the practice of several individual druggists, to mark on the box the nature of the contents, or have it inserted in the bill of lading, or communicate in some other way to the owner or master, the character of the article, and also, that when the article is known to be shipped, it is usually carried on deck.

The court charged the jury, that the rule of law is, that when an article of a dangerous nature is shipped, the person who ships it, is bound to give notice of what the article is; and if he does not, and it is received in ignorance of its character, the shipper is responsible for whatever damage may ensue from it. The sole question for the jury was, whether the mate who received the box had notice, expressly or constructively, of the nature or character of the contents.

The jury found a verdict for the plaintiffs for the sum of \$357 09 damages, and six cents costs.

Chauncey for the plaintiffs, A. A. Browne and Randall for defendants.—*U. S. Gazette.*

## THE SPRINGS.

There are several watering places within an evening's ride of Harrisburg, but we can only speak with knowledge of the merits of two of them, to wit, the York Springs about twenty miles south of us, and the Warm Springs of Perry county, twenty-two miles west. Each of these places has its advantages and peculiarities, and is adapted to different tastes.

The York Springs undoubtedly possess sanative properties, and are situated at a spot so elevated that every breeze must have "healing on its wings." The buildings are extensive and comfortable, and the creature comforts provided by the obliging Mr. McCosh are unexceptionable, unless cause of exception there be in provocation to excess which a well supplied table and good cheer presents. The York Springs are on the turnpike between Baltimore and Carlisle, 16 miles from the latter place, and are a favorite resort of the fashionable Baltimoreans. Boarding \$8 a week.

The Warm Springs, of Perry county, have long been celebrated for their healing virtues, and accordingly the infirm of the neighborhood have resorted to them time out of mind. But it is only of late years that the celebrity of the waters has been generally established, and their efficacy in the cure of scrofulous affections and cutaneous diseases is not now doubted. These Springs are on the farm of Mr. Jas. Kennedy, whose house at some distance from them, until lately offered the only accommodation to visitors, and the approach to either was difficult and rugged enough. Mr. Hipple, however, has erected a spacious and every way comfortable boarding house at the Springs, and furnishes as good cheer at the table and the bar as is to be found at any other watering establishment that has come under our inspection. The Warm Springs form a clever stream which supplies a large bathing house, with a number of plunging baths, a few yards distant from the head of the Springs; so that if there is any efficacy in the waters, a full opportunity of using them internally, and externally, as they issue from the mountain, is afforded. The amusement of fishing and gunning may be enjoyed here to perfection. But the chief advantage of those Springs, to those who are not sick, but retire from town in order to enjoy the country, are, the luxury of the bath and the absolute *country* that surrounds you. Mount Pisgah nods in front, and the mountain whence the Springs issue is in the rear, while the waters of Shearman's creek flow between, and you have nothing in view to put you in mind of town. Visitors from the south or east, in their approach to the springs, will be amply repaid for encountering a rugged road, when they reach Mr. Bower's excellent establishment, at Sterrett's Gap, on the North Mountain, where they can enjoy a clear view of the fertile and highly cultivated valley of Cumberland, the towns of Carlisle and Harrisburg, and beyond as far as the eye can reach. Boarding at the Warm Springs \$5 a week.—*Har. Chronicle.*

From the American Journal of Geology and Natural Science.

## ANTIHRACITE COAL

APPLIED TO GENERATE STEAM POWER.

The editor had the satisfaction, a short time ago, to direct the public attention, to the simple means adopted by Mr. John Price Wetherill of this city, to remedy the defect inherent in this coal, viz: the want of hydrogen. The editor is informed, by that gentleman, that a great many persons were induced, in consequence, to visit his White Lead Works, and to adopt this improvement. The non-bituminous coals of this state, which are now universally called anthracite, vary somewhat in their qualities. Some are more easily ignited than others, have a portion of sulphur in them, and leave a greater residuum; but they may be generally designated as hydrates of carbon, the purest containing upwards of ninety parts of carbon, water, and a siliceous earthy residuum, which we understand from some of the master masons here, *sels mortar better* than any siliceous matter they have hitherto used. The small quantity of hydrogen given out by this coal, is insufficient, or has been hitherto thought so, to produce the proper degree of flame wanted to generate steam. Hence, its application to generate steam-power, has been almost despaired of, and hence, also, the insignificance of its value for this purpose, when compared with bituminous coal. There



have been attempts in many quarters to remedy this great defect, and which have been attended with more or less success. We have materials on hand for showing with how much energy, persons at a great distance from each other, have been exerting their ingenuity in this direction. The details of a conflict of this kind, between art and nature, would not be uninteresting; indeed, what concerns us more nearly than the history of the gradual ascendancy of mind over matter, and the steady progress of man's dominion over nature. Upon the present occasion, we shall confine ourselves, with one exception, to a brief relation of the manner in which, from the simplest beginnings, Mr. Wetherill's discovery grew into importance.

In January, 1825, Messrs. Jonah and George Thompson, of this city, completed, for their Phoenix Nail Works, on French creek, a steam engine for anthracite coal. We understand this was the first successful application of this fuel to the generation of steam. This was accomplished by a sub-division of the furnaces, and other mechanical arrangements. The necessity of increasing the flame, induced them to try many experiments. The introduction of steam was resorted to, and succeeded to a great extent. These experiments were made in July, 1829.

The history of Mr. Wetherill's improvement is remarkable for its simplicity. In the early part of 1829, to obviate the inconvenience arising from the dust, when the cinders were riddled, water was thrown on them, and the cinders being very hot, the water was decomposed, and the effete residuum of the coal gave out more flame than the anthracite when first ignited. Mr. Wetherill, who is a good practical chemist, and who, like every body else, had often witnessed the effect resulting from water thrown upon fire, without attending much to it, saw now what a useful application could be made of it. Accordingly, when the flame is low in his bed of coal, he, by means of a small pipe connected with his boiler, which is led under the grate of his furnace, passes a stream of steam into the hot coals, which is decomposed, and the hydrogen, when it reaches the top, becomes a powerful flame, that can be regulated by the quantity of steam admitted. When the cock of the pipe is stopped, the flame dies away, when it is turned, it revives.

Considering it probable, that this method of producing the inflammable principle, will effectually cure the inherent deficiency of non-bituminous coals for the generation of steam power, we regard it as leading to ulterior consequences of primary importance to the coal interest, and the useful arts. We especially look to steam navigation, as likely to derive immediate profit from it. There is no known fuel of which vessels can carry so great a burden, as of anthracite coal. One of the great objections to marine steam navigation will be thus overcome. We encourage the hope, therefore, that marine steam navigation, which from various causes is slow in establishing itself, will, ere long, be universally successful, and that the steady velocities of rail road communication, may be transferred, in a great extent, to navigation. Ere this takes place, we think it probable, a revolution will be effected in the forms of vessels, and that the perpendicular sides of ships, necessary to give room to the machinery of masts and sails, will be abandoned for improved contructions, consistent with perfect safety, and peculiarly fitted for steam navigation. Vessels, as they are now constructed, present perpendicular sides to the assaults of the waves, or a definite resistance, to an indefinite power of attack. We had an opportunity, three years ago, of inspecting the break-water, at Plymouth, in England. Its massive perpendicular walls, promised to defy the violence of storms, but they soon gave way; nor was it until outward slopes, or inclined planes were constructed, that the power of the waves was defied. We can conceive of vessels of vast burden, fitted for oceanic navigation, with abundance of room for freight and fuel, where the

decks shall be covered in with a perfect water-shed, like the roof of a house, and the machinery be placed below. Such vessels might be made perfectly tight against stormy weather, and admit of every comfort in fine weather.

We have ventured upon these reflections, merely to draw the public attention still more to the great value of the non-bituminous coals of the state of Pennsylvania.

## VICTUALLERS.

### *Report on the Victualler's Petition.*

To the Board of Commissioners of the Incorporated District of the Northern Liberties.

The committee to whom was referred the petition of the victuallers, praying the passage of an ordinance prohibiting farmers and others from exposing meat for sale in the markets of this District, in less quantities than a quarter of any animal,

*Report;*—The first question that suggested itself to the consideration of the committee, was, whether this board have the authority to pass an ordinance such as is asked by the petitioners? To determine satisfactorily this question, they were induced to recur to the act incorporating this District, and to examine the several acts of assembly upon the subject of markets; by one of which passed April 6, 1802, it is enacted as follows:

"From and after the passing of this act, it shall and may be lawful for any person or persons, to sell or expose to sale, provisions, vegetables or fruit, in the markets of any city, borough or corporate town, within this commonwealth: Provided always, that such provisions, vegetables or fruit, shall not have been previously purchased within limits of such city, borough or corporate town; any law to the contrary notwithstanding."

The committee, therefore, having as they believe, examined all the laws of this state, in any way relating to the matters submitted to their consideration, are unanimously of opinion, that the passing of such ordinance would not only transcend the authority with which this District is clothed, but would, in its effects, be directly contrary to the spirit of the above recited act of assembly. Having come to this conclusion, as to the illegality of such an ordinance, they deem it unnecessary to say any thing about its expediency. They, however, beg leave to state, that they consider the complaints of the petitioners by no means as groundless; and would respectfully recommend them to make application to the legislature of this commonwealth for a remedy.

They therefore offer the following resolution.

*Resolved*, That the committee be discharged from further consideration of the subject.

JOHN E. KEEN,  
DANIEL K. MILLER,  
BEN. E. CARPENTER,  
MICHAEL ANDRESS,  
PETER GABEL,  
PROSPER MARTIN,  
JAC. KENDERLINE.

Northern Liberties, July 25th, 1831.

**FLOOD.**—On Wednesday (July 6) of last week, the streams in this vicinity rose to an unusual height, in consequence of the continued rains of several previous days. In the destruction of lives and property, it has far exceeded every other freshet within the memory of our oldest settlers. Nearly all the dams, bridges, saw-mills, &c. on the Southern tributaries of the Conemaugh, have been swept away, and in their descent into the river caused considerable damage to the State improvements. A saw-mill was carried down Tubmill creek, which enters into the river at Bolivar, 7 miles above this place, to the aqueduct at that place, against

which it lodged and so completely stopped the passage for the water, that the whole town was inundated, and dreadful to relate, four persons, a Mr. Mills, his wife and two children, lost their lives. They were in a Stone house near the bank of the creek and canal, which was swept off from the very foundation. Mr. M. awoke in the morning about 2 o'clock, got up and sent off two men who were sleeping in the house to raise a waste weir to let the water out of the canal, he being a sub-supervisor, fearing it might burst out the embankment. The men advised him to leave the house, as the water was then fast rising; he replied that he would "go up stairs; there was no danger there;" and we are informed that in less than fifteen minutes after there was not a particle of the building to be seen. Fortunately the men who left the house took with them one of Mr. M.'s children, by which it was saved. The body of one of the drowned children was found next day a short distance below—the others have not yet been discovered. We have also been informed that a young man who was descending the river above Johnstown, on a raft, was drowned. We have neither the name or particulars of this disaster.

The Turnpike bridge across Stony Creek a mile west of this place, together with Mr. Singley's saw-mill and Mr. Barnes's dam, were all carried away. On McGee's run, Mr. Dixon's saw mill and dam were swept off and the dam and race of Mr. Wallace's Grist mill very much injured.

The most serious damage to the canal is at Leechburg, where about one hundred feet of the dam is carried off and the tow-path for a considerable distance destroyed. The repairs necessary from that place to Johnstown, we are informed, will be complete about the first of August. The time that will be required to repair the dam it is impossible to tell, as it will depend pretty much on the state of the water. This disaster is sincerely regretted and will be heavily felt by the community, as the importance of canal navigation was just beginning to be realized.—*Blairsville Record*.

### FREE TRADE MEETING.

*Philadelphia*, 21st July, 1831.

Agreeably to public notice, a meeting was this day held at the Merchants' Coffee House, of citizens of Philadelphia connected with its trade and navigation, and others opposed to the present legislative restrictions and prohibitions on our Commerce, when

JOSEPH R. EVANS was appointed Chairman, and E. LITTELL, Secretary.

The object of the meeting having been stated, the following preamble and resolutions were offered and unanimously adopted.

Whereas, great dissatisfaction prevails in many parts of the United States, and especially in the Southern and South western portions of our country, against the existing high duties upon foreign commodities, which give an undue advantage to one branch of industry at the expense of all others; and whereas, a Convention is proposed to be held at Philadelphia on the 30th of September next, "for the purpose of securing the efficient co-operation of the Friends of Free Trade throughout the United States in procuring the repeal of the Restrictive System," for which Delegates have already been chosen in Charleston, S.C. and Williamsburg, Va. be it therefore

*Resolved*, That this meeting impressed with the belief that such a measure may be highly instrumental in promoting the national tranquility, and in advancing the interests of all classes of our citizens, whether engaged in agriculture, commerce, or manufactures, and in the earnest hope that all our sister cities of the North, may imitate the example, deem it expedient to appoint Delegates to the said Convention.

*Resolved*, That the number of Delegates to be appointed be sixteen, and that they be authorized to fill

up any vacancy which may occur, owing to the absence or refusal to serve of any of their number, and that they be empowered to act as a Committee for the purpose of making the necessary preparations for the opening of the Convention, and of corresponding with our fellow citizens in this and other States with the view of inviting them to send Delegates to the same.

*Resolved*, That a Committee be appointed to withdraw, and report to the meeting for its approbation a list of delegates.

The said Committee reported the following names, which were severally approved by the meeting:

Thomas P. Cope,	E. Littell,
Joseph R. Evans,	Samuel Smith,
George Emlen,	J. W. Norris,
C. C. Biddle,	Richard Price,
Thomas A. Morgan,	Samuel Archer,
Edward Ingraham,	Henry R. Watson,
J. M. Barclay,	Samuel Spackman,
R. M. Whitney,	John Sarchett,

*Resolved*, That the proceedings of this meeting be published in all the City papers without distinction of party.

JOS. R. EVANS, Chairman.

E. LITTELL, Secretary.

From the Bucks County Intelligencer.

### VISIT TO MAUCH-CHUNK AND POTTSVILLE.

In my letter dated Easton, July 11th, I intimated that we expected much gratification upon beholding the Delaware Water Gap. I believe our expectations were fully realized, and have no doubt the lover of wild and romantic scenery would be amply repaid by a visit to this spot. Being near the close of day when we passed through, there was not so fine an opportunity for viewing the beauties of the scene, as I was informed is presented at sunrise. A little to our left as we approached the base of the mountain, the extensive slate quarries, belonging to J. M. Porter, Esq. of Easton, were pointed out to us. There has already been a large quantity of slate floated down the river to Philadelphia, where it meets a ready demand in the shape of writing slates, and in its rougher state, for roofing houses. I was told there appeared to be an inexhaustible supply where the quarries had been opened, and it is not improbable to suppose, that in a few years those quarries will supply most of our Academies and Schools, and as the materials for shingling houses become more scarce, the demand will be increased for this more safe and durable article. The mountain on the South West side presented a more rugged and precipitous appearance than in any other part being estimated about 1600 feet high. The steep perpendicular and overhanging cliffs—the rugged and craggy appearance of the lower part, where the falling rocks are constantly accumulating, with here and there a few scrubby trees clinging to them, constantly arrested our notice. The distance through the gap is from one to two miles—the river being confined in a narrow bed, running perfectly smooth, and interspersed with numerous small Islands. It pursues a very serpentine course, alternately winding round the points of high steep hills, which jut out on each side, so that the view is confined up and down within a few hundred yards. Fortunately for navigation the current of the river here is very slow, notwithstanding all its meanderings, and the channel is quite deep, affording a safe and secure resting place for the Arks and Rafts, which descend in the spring of the year.—There are two or three taverns at different points in the gap, which are frequently filled to overflowing during the rafting season. There is a pretty good road cut along each bank of the river, and the stage to Milford passes along on the Pennsylvania side. Three miles above the gap is Stroudsburg, a pleasant, improving and business doing town. It is situated near the junction of several large streams with the Pokono Creek, affording numerous, extensive and valuable mill seats. The town con-

Ba. Mitchell.

tains 6 stores, an academy, 3 or 4 meeting houses of different denominations, and some handsome private dwellings. For some miles on each side of the gap, the country presents a very uneven surface, which makes it difficult for agriculture. Some fields we saw appeared to be entirely filled with knolls and hollows, of various heights and depths, chiefly composed of pebbles and gravel. From Stroudsburg we bent our course westward, with the Pokono hills to our right, and the blue mountain on our left.—With the exception of the land lying along the borders of the streams, there is but little good farming land on the whole route, from near Stroudsburg to the Lehigh Water Gap. Although the break in the Mountain where the Lehigh passes through, is not so great an object of curiosity as that on the Delaware, we did not find it devoid of interest.—The river takes a pretty straight course through it, and the space between the base of the hills is much wider than on the Delaware. Here the labors of the Mauch-Chunk Company, and the enterprise of private individuals has contributed much towards rendering a view of this place desirable. There is a fine bridge over the Lehigh, at the lower part of the Gap, and one or two excellent Hotels. From this place we proceeded along the River to Mauch-Chunk, affording a fine opportunity for viewing the Canal and Slack Water Navigation on the Lehigh. We could not help remarking with what neatness and solidity the works on this canal are executed, and the highest praise which can be bestowed upon the superintendent, is the fact, that since its completion, there has been little or no interruption to the navigation from breaches. There is an ample supply of water at all seasons for navigation, and measures are in train to extend the canal on from Lausanne above Mauch-Chunk, to the Susquehanna, at or near Berwick. [TO BE CONTINUED.]

#### GERMANTOWN RAIL ROAD MEETING.

At an adjourned meeting of the inhabitants of Germantown, convened at Bowen's Inn, on Thursday the 28th inst. for the purpose of deliberating on the route of the Rail Road near that village,—of which JOHN F. WATSON was Chairman, and P. R. FREAS Secretary, it was

*Resolved*, That the Report of their Comm'tee then made and adopted, should be furnished to the gentlemen, constituting the Delegation, acting in behalf of "the Philadelphia, Germantown, and Norristown Rail Road Company."

The gentlemen representing the Rail Road Company, consisted of its President, Col. Watmough, the Chief Engineer, Col. Douglass, and Messrs. McCreedy and Hassinger, Managers. These had with them, their corps of Engineers with their implements, who were directed to give any levels which might be deemed essential to satisfy the Committee acting in behalf of the former Town Meeting.

The Committee, after introducing their report, by some necessary preamble, thus enter into detail, to wit:—

The chief Engineer informed us, that the grade of the road from the city to Clapier's hill, was desired to be 32 feet in the mile, which brought the grade to the foot of Clapier's hill on Roberts' place.

Your Committee desired of the Engineer a level to be taken to a more westerly point of the hill, to see if the road might not take a course through Messrs. Blight's, Goddards, and Coulter's grounds, and thence on the southwestwardly side of Germantown, accordingly, one was taken near the ravine on Mr. Clapier's place, another on the southwestwardly point of land on Mr. Blight's place, near to Falls run; thence we proceeded up the Falls run to the township line, taking several levels; by which it clearly appeared that with a gradation of forty feet per mile from the location about Rhiner's place, considerable filling would be required on

the low ground, and a cutting on Blight's point of land supposed to be about 30 or 34 feet, and in a little distance up the run, a continual succession of cutting would commence at the bottom of the run, constantly increasing in depth; and where the township line crosses the run, the road would be 22 feet or thereabouts below the surface of the ground; and from thence the rise becomes rapid, and the road must continue to increase in depth under ground the whole distance up to the widow Johnson's summit.

Your committee also explored the proposed route through the ravine near Skeritt's continued by Royal's, or by Dr. Betton's; and comparing the whole view of the S. W. side, your Committee are convinced that without a stationary engine to raise 40 feet on Clapier's hill, it is impracticable to locate the road on the S. W. side of Germantown, without an unreasonable expenditure of the capital of the company: while the N. E. side, on the representation of the delegation, is ascertained to be practicable without an engine, crossing the turnpike near the Methodist meeting house; by which, distance is increased before meeting the high ground.

Your committee have been furnished by the delegation with a profile of a route which they also report herewith.

Your Committee beg leave further to report, that such was the polite attention and candour of the delegation, and willingness to give every information required, that whatever may have been said or suggested to the contrary, your Committee verily believe that the choice of the N. E. side of the lower part of Germantown in preference to the S. W. side, has not been the result of any undue influence on the president, the chief engineer, or members of the board; but that in consideration of interests compared, required the N. E. route.

SAMUEL HARVEY, } Committee.  
BENJAMIN LEHMAN. }

Germantown, July 28, 1831.

Telegraph.

#### LETTERS FROM THE WEST.

*Extract of a Letter, dated*

PITTSBURG, 1831.

Dear —, I arrived here on Monday after flying (I cannot find a more appropriate expression) for a little more than two days. I spent the greater part of yesterday on Braddock's battle ground, about 13 miles east of this place. The field, which was the principal theatre of that memorable action, is now covered with a luxuriant crop of corn. The plough frequently turns up imperishable memorials of "days departed," bullets, gunlocks, dirks, fragments of sabres and bayonets, various metallic ornaments, &c., but all remains of the human beings, who took a part in that fearful tragedy, have long since mingled with their mother earth. The only trace left of the lordly favourite of the saloons of St. James, or the humble Virginia Blues, is in the fertility of the soil their valour immortalized and their death consecrated.

Changed as the scene now is, busy imagination, annihilating time and space, calls up the occurrences of that eventful day in shadowy succession before you. You behold Braddock swelling with indignation at the presumption of "a d—d buckskin," in offering advice to a British General whose brow was still encircled with laurels gathered on the continent, and marching on through the dark forest, in all "the pomp and circumstance of war," expecting no doubt, to find the Little Turtle and his copper skins entrenched and waiting his assault in the manner prescribed by European tactics. When the death-tones of the war-whoop thrilled his nerves, and the shout of an unseen enemy was scattering destruction through his palsied ranks, desperate were the efforts of his valour to cover the effects of his arrogance. His veteran troops would have faced dan-



ger fearlessly at the mouth of the cannon, or the point of the bayonet, but they shrunk from an encounter where their very discipline rendered them useless.—Banner and plume were trailing on the dust, and proud hearts quailed at the thought of a tomahawk and the scalping knife, when the clear deep tones of Washington's manly voice rose above the tumult, and his laconic order, "every man to a tree," told Virginia's gallant rangers their duty. You are familiar with the succeeding events, the conduct of Braddock and his death-bed, when the better feelings of his heart had regained an ascendancy over the prejudices imbibed from aristocratic habits and education, and the masterly manner in which Washington covered the retreat of his shattered and desponding forces.

A short distance hence is the spot where Arthur St. Clair spent the last year of an unhappy life, his proud spirit chafing at the recollection of his country's ingratitude.

But you will have thought it time to hear something about Pittsburg itself, and you are right. I have neither the space, the leisure, nor the information requisite to give you the statistics of the place, nor is it my intention to attempt it. The city is finely situated for trade and well laid out, but there are few public buildings or private mansions, sufficiently elegant to attract the admiration of the beholder at the first view.

The business part of the town lies along the banks of the Allegheny and Monongahela, and at the point where they unite and form the Ohio. There are, however, considerable villages on the opposite side of each river—Bayardstown and Allegheny bearing the same relation to Pittsburg that Camden and the villages across the Schuylkill do to Philadelphia.

The two great sources of the commerce of Pittsburg are her manufactures and the transit of merchandise from the eastern cities, intended for the valley of the Mississippi. Its iron-works have long been celebrated, excelling in extent and variety any others in the union. She is well called "the western work-shop." I crossed the Monongahela this morning, to visit a nail factory, one of the most perfect I have ever noticed. The iron is thrown into the forge in rough pigs, and passing on through all the various changes of bar and hoop, is transformed into most excellent nails, apparently by magic, for no human application is visible. The coal used at this establishment is excavated at the top of a hill in the immediate neighborhood, and by means of a covered chute about 300 yards in length, is thrown almost into the door of the furnace.

Coarse cutlery is manufactured in great quantities, and in a few years the importation of finer articles will be considerably lessened. This is the proper mode of supporting the American System.

The glass works of the Messrs. Bakewell are well worthy of attention from their extent, and the variety, beauty and extreme delicacy of the articles produced. They are constantly thronged with visitors, particularly ladies, several of whom I observed in the cutting-room, scrutinizing the process at the risk of their eyes, which are frequently injured by the small particles of glass thrown from the stones. There are various other factories for window-glass, bottles, &c. in auction phrase, "too tedious to mention."

As a manufacturing city, Pittsburg has advantages over every other in the United States, and she seems determined to improve them. The hills with which she is environed afford inexhaustible supplies of coal, iron ore, &c. and the Ohio gives her the command of a large and increasing market—the great valley of the Mississippi. A tin mine, supposed to be inexhaustible, has lately been discovered, which will afford the means of a valuable addition to her metallic products. [7]

The wharves are lined with steamboats, and every thing betokens a press of business. Goods are pouring in from the Atlantic cities, and there is great difficulty in storing them until an opportunity for shipment offers.

Numerous and spacious as the warehouses of this place are, they are by no means sufficient for the vast quantities of merchandize forwarded annually. A heavy commission house (Riddle, Forsyth & Co.) is about to construct one, which will obviate the objection so far as they are concerned; it will be two hundred feet deep by sixty in depth, supported by pillars, and will probably be the largest in America.

The great quantities of bituminous coal used in the various manufactories, give the city a very dirty appearance, and it is pretty generally covered with clouds of smoke from the same cause. The first idea that strikes you when you enter it is, that it is a place of business exclusively; and you will be convinced of the correctness of the impression before you leave it. The citizens with whom I have had any intercourse are intelligent, frank, and hospitable, entirely free from ceremony, but sincerely desirous of rendering the stranger's sojourn among them as agreeable as possible.—*Penn. Inquirer.*

## PORT OF PHILADELPHIA.

*Inward—For July, 1831.*

Where from.	Ships	Barques	Brigs	Scho's.	Sloops	Tonnage
England,	5		2			2202
Ireland,		1				271
Dutch East Indies,	1					369
Italy,			1	3		179
Cuba,			5	3		1129
Hayti,			2	1		464
Other Spa. W. Indies,			4	1		1063
Danish West Indies,			2	4		367
British W. Indies,			1			431
Brit. Amer. Colonies,			2	2		253
South America,			3			590
Africa,			1			123
	6	1	23	14		6432

*Inward Coastwise—57 vessels—Tonnage, 5625.*

*Outward—For July, 1831.*

Where to.	Ships	Barques	Brigs	Scho's.	Sloops	Tonnage.
England,	3	1	1			1800
British East Indies,	1					263
Brazils,			1			160
Dutch East Indies,	1			6		387
Cuba,	1		3	2		1452
Danish West Indies,			6	4		1107
British West Indies,			1			366
Brit. Amer. Colonies,			1			129
South America,			3			440
Africa,			1			108
	6	1	17	12		6212

*Outward Coastwise—98 vessels—Tonnage, 9483.*

[*Pennsylvania Inquirer.*]

*Remarkable Curiosity.*—Mr. Philip Reese, of Upper Merion township, has a living *Gosling*, which has four perfect legs, two wings and one head—the hinder part appears to be double, with two rectums, and two tails with large expanding feathers. It has the use of all its legs, and appears to be as healthy and thriving as any of the brood.—*Norristown Herald.*

Mr. THOMAS M'KEAN, has been appointed an Alderman of the city of Philadelphia, in the room of Mathew Lawler, Esq. deceased.



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 7. PHILADELPHIA, AUGUST 12, 1831. NO. 189.

## INDIAN HISTORY.

[FROM THE PEMBERTON MANUSCRIPTS.]

*Minutes of Conference between the Government of Pennsylvania and Teedyuscung, King of the Delaware Indians, &c.*

(Taken by Charles Thomson, Secretary for Teedyuscung.)

[Concluded from page 87.]

March 24th, 1758.—As the Governor deferred his answer, Teedyuscung upon hearing that a number of the Cherokees were come to Virginia, with a design to go to war, was very uneasy that his messenger was not dispatched, and fearing some ill consequences might ensue from detaining him any longer, he went to the Governor's but not meeting with the Governor, he went to the Secretary's with Isaac Still his interpreter, Welamekigink the messenger and Moses Tetamy and spoke as follows.

Brother, I would have this messenger, who came with me dispatched as soon as possible, to carry back to the Indians the good news of what we have now done.

Brother, You must have heard that the Cherokees are come down to go to war. Now as several of our friends, who have joined with me live near, and some among the French, it is necessary the messenger should be sent before to tell them to separate from the French, that they may not be cut off with them.

Brother, I would have you also dispatch a messenger immediately to the Cherokees, to inform them of what is done, and to stop them. For if any mischief is done, it will not be said the Cherokees did it, but that you have done it, who hired and sent them; and this will undo all that we have done. But when the Indian Nations are informed of the peace we have made, then all those Indians will come and join the Cherokees and be all friends with the English and all together will go against the French.

Being asked, what sort of message can be sent to the Cherokees that will not do harm; for should any Indians come down with Frenchmen at their head, as they have always done, what then must be done?

Teedyuscung replied, I would therefore have the messenger sent as soon as possible to prevent any of the Indians joining with the French.

He farther said,

Brother, here is our messenger between us both, I leave it to your generosity what you shall give him.—When a man is travelling he must eat and drink. He may also lose his horse, which is the case with this man who lost a very stately horse in coming down. All these things should be considered. There were nine other messengers who came with this man, all those should be rewarded; they make in all ten; three here and seven at Bethlehem.

Brother, since I have been in town, I have been obliged to run in debt at two or three houses in town, in treating my people, I hope you will enable me to discharge it.

Brother, I recommend my interpreter to you, I hope you will reward him.

Brother, I have to inform you that upon intelligence received, that the French were coming against Fort

Allen, I sent Captain Harrison and three other Indians to the assistance of that place. They were there on service ranging in the woods two weeks. I desire they may be rewarded for their service.

I desire you will order the messengers guns to be mended at Bethlehem.

A copy of the above being made out by Charles Thomson, was delivered to the Secretary who was desired by Teedyuscung to send it immediately to the Governor, which the Secretary promised should be done.

On the same day the following message was sent to the Governor from the Assembly.

*May it please your Honor—*

We beg leave to observe that by the Minutes of the Conference, laid before us from time to time, since the Treaty of Easton, it does not appear that any effectual measures have been taken to recover our fellow subjects, from the captivity they are under with the Indians, with whom a peace has long since been concluded, nor even to remind them of their engagements to restore them. We, therefore, think it our duty, to recommend it to your honour, before the Indians depart from this City, to make some enquiry after the Captives, and to take such measures as shall be most likely to restore them to their country, families, and friends. We also think it absolutely necessary, for the welfare of this Province and the promotion of his Majesty's Indian interest in America, that a friendly and kind invitation should be given to the Chiefs of each of the eight tribes of Indians, that have, by a late Messenger, shewn an inclination to enter into an alliance with his Majesty, and take up arms against his enemies, that some of them would, when it was convenient to them, take an opportunity of visiting this Government, and further ratifying the good work of peace so happily begun, and now almost perfected.

The good effects this Province has already felt, and his Majesty's interest in general is like to receive from the late Conference with them, are such proofs of the good policy of such an invitation, that we need not add any thing further to enforce it.

Signed by order of the House,

THOMAS LEECH, Speaker.

March 24th, 1758.

As the Public Treasury was exhausted, that the Indians might be furnished by the Public with what they wanted, the following Address was presented to the Assembly:

*To the Representatives of the Freeman of the Province of Pennsylvania, in General Assembly met.*

The Address of the Trustees and Treasurer of the Friendly Association, for regaining and preserving Peace with the Indians, by pacific measures—

Respectfully sheweth: That as we have, with the approbation of this Government, at several Treaties held with the Indians, at Easton and Lancaster, contributed freely towards the Presents made to the Indians, and defraying the expenses of the Messengers sent by the King's Deputy Agent, to invite the Indians on the Ohio to renew their alliance with the Crown of Great Britain; and as, by the blessing of Divine Providence, pacific measures have so far succeeded, that from the Messages

now received from eight Tribes of those Western and other distant Indians, it appears there are just grounds to hope for the establishment of Peace with them; and the engaging a considerable number, with whom this Government hath not been acquainted, to enter into the alliance. We are heartily disposed to promote so desirable a service, and thereby to give a renewed testimony of our loyalty to our gracious King, and our sincere concern to advance the cause and interest of the Christian religion, and the Peace and prosperity of our Country; and being informed that the Public Treasury is exhausted—least these salutary measures should thereby be delayed, and the promises made by the Governor in behalf of this Province remain unperformed—we think it our duty to acquaint you, that, out of the fund of our Association, we are willing to supply you with such sums of money as may be immediately necessary, for carrying on these negotiations towards establishing Peace with the Indians, and to wait for the repayment of the money, out of the Public Treasury, till it can be conveniently done.

If our proposal appears to you to be conducive to the public advantage, and meets with your approbation, we shall immediately direct our Treasurer to pay the Provincial Commissioners, or such other Committee as you may be pleased to appoint, such sum or sums as on consideration you may judge these exigencies may require.

Signed by order, and on behalf, of the said Trustees and Treasurer, ABEL JAMES, Clerk.

The foregoing Address being read and considered by the Assembly, the following resolves were passed:

*Resolved*, That the thanks of this House be given to the said Society, for their friendly and generous offer.

*Resolved*, That this House do recommend it to the Provincial Commissioners, to borrow of the said friendly Society, such sum or sums of money as may be sufficient to answer the present Indian demands; and that the Representatives will use their care and endeavours, to secure the repayment thereof, when further supplies shall be raised for the public service.

*At a Conference with the Indians at the Governor's House, 25th March, 1758.*

**PRESENT**—The Hon. William Denny, Esq. Lieutenant Governor; William Logan, Richard Peters, Lynford Lardner, Esquires; the same Indians as before; Conrad Weiser, Esq.; Isaac Still, Interpreter.

The Governor, addressing himself to Teedyuscung, and the Indians, spoke as follows:

Brother Teedyuscung—I fully expected I should have been able to have given you an answer to the request you made, respecting the assistance you wanted from this Government, in being supplied with proper Ministers, School-masters and Council, at your Indian Towns. I laid your request immediately before the Assembly, and they sent me word, that as it was an affair of such importance, they would take time to consider it well, and give me an answer. This they have not as yet done; and as you have acquainted me, that your Messengers are very uneasy to return to inform the Indians of what has passed here, I must, for the present, defer giving you an answer to what you then desired; but you may depend on it, that every thing this Government engaged to do at Easton, they will faithfully perform—what they are now considering, is only the method of doing it. This is my answer to what you mentioned the other day.

Brother—You may remember I told you, on Wednesday last, that although I had then fully answered the Messages you had brought me from the Indian Country, yet I had something more to say to you.

Brother—I think proper that our Peace Belt, that I gave you the other day, should be sent with the greatest dispatch, and in the safest manner you can, to the Indian Towns on the Ohio, and the other Towns who

have now entered into our alliance, that they may be fully informed of what has passed here between us, and the good work we have done. Take this, my Calumet Pipe, with you, for our friendly Indians to smoke out of. It is the Pipe our old Proprietor, William Penn, smoked in, on his first arrival into this Country, with all the Indians that entered into a Covenant Chain with him, and has been preserved by his order to this day for that good purpose. I recommend it particularly to the Delawares, our Brethren, and to their Grand-children, the Shawanese, to smoke out of it heartily, as it has now been filled with the same good tobacco. They, the Delawares and Shawanese, will then remember their Mother Country; for the Ground in Pennsylvania, is the Ground they came out of.

Brother—You know when they first left us, they went only a hunting, though at too great a distance from us, to a place where an evil Spirit reigned, where they lost themselves by the instigation of that evil Spirit, whose cunning and power they could not resist.

Brother—I cannot help thinking, that their Thoughts must be often bent towards their Mother Country; as it is most natural for all sorts of People, to love that Ground best from which they first sprung.

Brother—We remember very well how kindly you received our forefathers, when they first arrived in this Country. You secured their ships to the bushes, and kindled up a fire for them, and you entertained them with the best you had; and you must remember the mutual friendship that subsisted between us since that time; and I hope those black Clouds, that came from the North, will be now entirely dispelled, as the greater part of them already are. We shall then see one another with a great deal of pleasure, and the sooner it is done the better; and I assure you, nothing shall be wanting on my part, towards perfecting this good work. In confirmation of which, I give you this Belt. [Gave a Belt.]

Brother—I must put you in mind, at this opportunity, of our Children that yet remain among the Indians. I should be extremely glad to see as many of them as you can possibly bring; and as you are a wise man, you know that will give great satisfaction to me, my Council, Assembly, and all the good People of the Province. [A Strang.]

Brother—You may remember that at first, when the Clouds were beginning to be dispelled, a little Foot Path was opened, by Fort Allan to Wyoming, for our Messengers to pass through with Messages; but as now the Clouds are entirely dispelled between us and the Indians on Susquehannah, I think it necessary to open a Great Road; that is, from Diahogo, and the heads of the Susquehannah, down to Fort Augusta, called by the Indians Shamokin; where you will always find protection in your Road to Philadelphia. [A Belt.]

[N.B. Teedyuscung expressing some dissatisfaction at this proposal—the Governor added, that it was only a proposal to him to consult the Indians at Wyomink upon, and then he might give an answer, after knowing their minds.]

Brother—I have now done; and shall, without delay, lay before his Majesty's Commander-in-Chief, and Sir William Johnson, the gentleman appointed to transact Indian Affairs in this district, all that has passed between us; and I make no doubt, but the resolutions of the Indians, with regard to the French, will be very agreeable to them; and they will immediately transmit it to his Majesty, who will be exceedingly pleased.

**REEF.**—The premium Ox, slaughtered by Mr. Anthony Wilhelm on Friday last, weighed as follows:

Beef, .....	1,378 pounds.
Rough tallow, .....	175 "
Hide, .....	128 "
Heart, .....	93 "

[*Millon Advocate.*] Total, ....., 1,690 " "

In looking over a file of the *Pennsylvania Chronicle* for 1768, we met with the following remarks, on the improvement of the Schuylkill, and connecting the Susquehanna and Delaware; which subjects at present occupy so much attention. It is sometimes interesting to compare the views of past and present generations.

#### NAVIGATION OF THE

#### SUSQUEHANNA AND DELAWARE RIVERS.

It is a fact indisputably certain, that what port soever on this continent can acquire the greatest share of its inland commerce, must proportionably advance in riches and importance; as whether manufactures be established or not, it is evident that no civilized people ever existed without having occasion, both for imports and exports of considerable value.

Although this city has hitherto had a large share of the trade of this continent, yet the continuance of those advantages seems to depend on a vigorous exertion of those powers kind Providence has put in our hands.—The vicinity of the navigable parts of Potomac, &c. to the Ohio, and the extensive navigation from New York to Lake Ontario, seems to call loudly to us to exert ourselves to preserve the advantages, the industry and virtue our ancestors have gained, and to prevent the important commerce of the inland parts of this continent from taking a different turn.

The Schuylkill is a channel properly adapted, by Providence, for a communication between the rivers Delaware and Susquehanna; and the making an easy and commodious navigation, as far as possible, up that stream, is an object that deserves our serious attention, and is certainly much more practicable than many seem to imagine.

It has been asserted, in the *Chronicle*, that the best way into the Indian country, is by Fort Augusta [Shamokin], as the west branch of Susquehanna is many miles navigable; and the straightening our roads and moderating the rate of ferriage have been well recommended therein, as measures absolutely necessary to preserve the commerce of our back counties, to this city, from which they receive protection. But the project in question would most effectually advance both these useful and advantageous designs; for the town of Reading being only fifty-three miles from Harris' Ferry, is consequently nearer to a great part of the country beyond the Susquehanna, than Baltimore, or any other southern part; and had that town a constant and ready communication by water with this city, it would be, I suppose, as good a market in all respects: And if some of the principal ferries on Susquehanna were at the same time made free, there is no doubt but most of the commerce of those counties would center there.

How important sever these considerations may appear at present, they are extremely trivial compared with what may probably be the case in succeeding ages, when all the interval of the mountains, the shores of Ontario and Erie; and the extensive plains of Ohio, &c. &c. may be filled with people, whose necessities, conveniences, or luxuries must be a perpetual fund of employment and wealth to the sea-ports with which they communicate. And as many of the wide extended branches of Susquehanna, are or may be made navigable, a communication may be thereby opened from this city, of greater extent and consequence than can be easily conceived. But were our attention only extended, at present, to that part of the province situated on this side that river, the country along Schuylkill and above Reading is naturally very valuable, and would be more so, did not their excessive distance from markets reduce the value of their produce, and discourage the improvements which industry, constantly attentive to these objects alone, would certainly and soon produce.

The taking our farmers from their habitations to come long journeys to market, has besides the loss of

time and expense, many inconveniences; it often debauches their morals, lessens their industry when at home, tempts their servants to commit disorders, and takes off that decorum which the eye of a wise man always produces among his dependants; so that every attempt to facilitate carriage may be considered as a moral as well as political advantage.

Our great and wise founder was a man of views sufficiently extensive to be convinced of the possibility and utility of this scheme. His attempts to settle the city on the banks of that river are well known, and tho' the short date of his life, and incumbered situation of his affairs, rendered his design abortive; yet the judgment of so great a man, may, I hope, be a means of procuring those proposals a fair and impartial consideration. The navigation of the Schuylkill has already attracted the attention of the legislature; but their attempt having consisted chiefly in clearing the passage through the rocks at the falls, the river is thereby rendered shallower above those obstructions, and the navigation rather less practicable than before, the depth of water being insufficient for vessels of any burden, except in great freshes, and then the natural rapidity of the current renders the passage downwards very dangerous, and the return almost impracticable; besides as these freshes seldom happen but in spring and fall, and not always then, so precarious a navigation is of very little consequence. Some have thought that contracting of the stream might be a means of improvement; but as that could only be done by deepening the channel, in the best of the current; and as the bottom of the river is hard, and in some places rocky, and the distance great, such an attempt appears to me impracticable, and not likely to answer the intended design; for the velocity of the current would be thereby vastly increased, and the content of the water proportionably lessened, and rendered too shoal and rapid to admit vessels of any burden going down, much less returning: And as such a channel would be very small, compared with the body of the river, when raised by large freshes, the crookedness of the stream would, at such times, occasion its being filled up in many places, and the work be to do over again every year. The only possible method effectually to compass this desirable event, is that which is so frequently practised in England and elsewhere, viz. the moderating the current, and deepening the water by a number of dams across the river, accommodated with sluices or locks, to give passage up and down to flats or rafts, as often as occasion requires.

It has been delivered as the opinion of good judges, that the surface of the water at Reading is not more than sixty feet perpendicular above the head of the tide; but admitting it should prove one hundred feet, yet sixteen dams, each six feet high, would reduce the water to a sufficient depth and stagnation, as only six feet descent, in near one hundred miles, must make the current very moderate and passible up or down with the greatest ease.

I am not much acquainted with the charge of making dams, but should think six thousand pounds abundantly sufficient to erect one over the Schuylkill, with proper sluices for the purpose of navigation; at which computation the cost of sixteen dams, amounts to ninety six thousand pounds. And considering the fertility of the land along that river, and the very great extent of country above Reading, the trade of which would certainly and soon centre there; the quantity of goods transported downwards annually, may be computed at fifteen thousand ton, and five thousand ton returned: Allowing therefore a dollar per ton for toll to the proprietors of the navigation, it would amount to seven thousand five hundred pounds per annum; from which deduct five hundred pounds for the charge of collecting; the remaining seven thousand pounds amounts to seven per cent. interest upon the computed charges of erecting the works: And as the dams would produce very valuable seats for mills, the profits arising from that



consideration would probably exceed the expense of repairs.

I suppose the present rate of carriage from Reading, may amount to about fifty shillings a ton, or more; whereas if a good hauling road was cleared along the banks of the river, and the current moderated by the means above mentioned, and kept up to the depth of three feet or upwards, the carriage by water might be afforded for fifteen shillings per ton; for a flat of 100 tons burden, might be navigated up and down the river, by four men and two horses, in a week or ten days; the charge of which would not amount to ten pounds a week, whereas allowing a dollar per ton for toll, the remaining dollar on 100 tons downwards and 25 tons upwards, amount to 46l. 17s. 6d. each voyage; a profit much more than sufficient.

But the advantages derived to the country by this means, would be far more considerable; for admitting the advance on the value of wheat at Reading, to be only nine-pence a bushel, and that only an extent of fifty miles square could receive the benefit of this undertaking, it amounts to one million six hundred thousand acres, of which supposing only a twentieth part in grain, and to produce 20 bushels per acre, half of which to be expended in the country, the advance upon the half exported, at the rate above mentioned, amounts to thirty thousand pound; to which if the profits arising from moderating the carriage of iron, timber, masts and boards (which three last should pay but half toll) and also from the goods returned, be added, the amount may be fairly doubled, amounting to sixty thousand pounds per annum,—a sum probably equal to more than half the expence of erecting the navigation.

To this it will be objected, that the freshes which arise at the breaking up of the winter, are commonly so great, the current so rapid, and the bodies of ice so forcible (accompanied with logs and other incumbrances) that no dams could possibly resist their force, but inevitably be torn down, and the whole project be thereby rendered abortive.

I shall answer this by observing, that the rivers in England, in many places, are more rapid and furious than Schuylkill; and though the moderation of their winters, in the south of that kingdom, and near the sea, may prevent their rivers freezing, yet, in the mountainous parts of the north, this is by no means the case; they are frequently frozen over to a great thickness; and as those frosts mostly break up with heavy rains, and the country has a great declivity, their rivers swell to a height, and pour down with a rapidity vastly superior to Schuylkill, dragging ice and logs along with them; and yet many of those rivers are made navigable by the means here proposed, and those which are not, have dams across them for the benefit of mills, as well as bridges, many of which continue for ages: And if the trifling profits of a grist-mill (seldom amounting to fifty pounds per annum) can support the expense of a dam, how inconsiderable must it be, compared with the value of so important a navigation as here presents itself. 'Tis true, few of those rivers are as wide as Schuylkill; but as water acts not in proportion to its width but to its weight and rapidity, there can be no doubt but that if dams were erected with equal care and judgment, they would continue as well as those in England; especially considering that the present velocity of the stream, would, by these means, be much moderated, and its impression upon the dam proportionably lessened.—Admitting, therefore, the property in this navigation (computed at one hundred thousand pounds) to be divided into one thousand shares, and vested by law in the subscribers; together with an act of incorporation, and the necessary powers for putting the project in execution; each subscriber to be reputed a member of the corporation, and enjoy as many votes in the choice of managers, &c. as he subscribes shares, the payment to be made annually, at five per

cent. The first payment by way of trial: After which, if the design is approved (the subscriber giving the company proper security for their payments) notes of credit might be issued, under proper limitations, whereby the navigation might be expeditiously brought to perfection; and the profits arising therefrom being added to the annual payments, the money would probably be repaid in a few years, and the subscribers become possessed of a very valuable property, at a trifling expence.

*Si quid novisti, rectius istis  
Candidus; imperti si non, his utere necum.*

PHILADELPHUS.

### METEOROLOGICAL REGISTER.

*Extract from the Meteorological Register, taken at the  
State Capitol—Harrisburg, Pennsylvania,  
BY WILLIAM MUSGRAVE, Librarian.*

JULY, 1831.

Days of Week.	Days of the Month.	Morning temperature.	Noon temperature.	Night temperature.	Mean temp. of day.	Highest in Morn.	Highest at Noon.	Highest in Even.	Mean height of barometer each day.	WINDS.
		<i>Thermometer.</i>				<i>Barometer.</i>				
Friday	1	70	75	71	72	29.70	75	81	29.75	SE
Saturday	2	67	74	73	71	90	93	95	92	SE
Sunday	3	70	76	74	73	96	90	87	91	SE
Monday	4	72	77	76	75	87	80	76	81	SE
Tuesday	5	74	79	71	74	72	64	71	69	S
Wednesday	6	68	74	72	71	60	55	50	55	SW
Thursday	7	70	77	75	74	50	55	60	55	SW
Friday	8	71	76	71	72	60	55	55	56	S
Saturday	9	70	76	67	71	48	42	55	48	S to N
Sunday	10	54	68	63	61	65	73	76	71	N
Monday	11	50	72	60	60	85	88	90	87	N
Tuesday	12	50	64	67	60	90	88	83	87	N to SE
Wednesday	13	54	70	60	61	77	67	68	70	S
Thursday	14	54	74	70	66	55	50	48	51	NE
Friday	15	65	74	66	68	48	46	57	50	NW
Saturday	16	57	70	68	65	57	55	57	56	N
Sunday	17	59	73	74	69	60	58	57	58	W
Monday	18	62	75	76	71	50	45	44	46	W
Tuesday	19	68	81	79	76	44	40	52	48	W
Wednesday	20	72	83	74	76	50	40	43	44	W
Thursday	21	68	86	74	76	50	48	45	47	W
Friday	22	68	88	80	78	50	48	48	48	W
Saturday	23	72	76	78	75	38	38	37	37	W
Sunday	24	68	79	70	72	50	54	57	53	W
Monday	25	65	78	72	71	60	57	50	55	SW
Tuesday	26	68	76	76	73	35	45	50	43	E
Wednesday	27	70	81	74	75	60	64	63	62	E
Thursday	28	72	79	78	76	60	56	60	58	W
Friday	29	66	75	71	70	70	70	70	70	N
Saturday	30	64	80	72	72	70	70	65	68	W
Sunday	31	69	82	77	76	64	66	70	66	S

<i>Thermometer.</i>		<i>Barometer.</i>	
Maximum on 22d,	78°	Maximum on 2d, 29.92 in.	
Minimum on 12th,	60	Minimum on 23d, 29.37	
Difference,	18°	Difference,	00.55 in.
Mean,	69°	Mean,	29.64½ in.

<i>Days of the month.</i>	<i>Winds.</i>
10 11 16	3 days North.
14	1 day North-east.
26	1 East.
1 2 3 4 12	5 days South-east.
5 8 9 13 31	5 South.
6 7 25	3 South-west.
17 18 19 20 21 22 23 24 27 28 30	11 West.
15 29	2 North-west.



## ATMOSPHERICAL VARIATION.

Days of month.		M.	J.
1 28	2 days	Showery	Showery.
2 4 7 8	4	Cloudy	Showery.
3 18	2	Rain	Fair.
5 6	2	Showers	Thunder gusts.
9	1 day	Fair	Mod. steady rain.
10 15 23 27 29	5 days	Fair	Cloudy
11 13 21	3	Clear	No clouds seen.
12 16 17 19	4	Fair	Few light clouds
14 22 24 31	4	Fair	Thunder, gusts.
20	1 day	Fair	Set. heavy rains.
23	1	Light rain	Thunder gusts.
26	1	Th. gust in morn	Fair.
30	1	Overcast	Th., heavy rain.

On the 20th, at noon, Thermometer at 90°; the highest.

On the 12th, morning, do. at 50°; the lowest.

Range in the month, 40°.

On the 2d, evening, Barometer, at 29.95; the highest.

On the 23d, evening, do. at 29.37; the lowest.

Range in the month, 00.58 inches.

The difference of temperature between the mornings and noons, or mid-days, from 5 to 20°.

The wind has been 7 days East of the meridian, 16 days West of it, 3 days North of it, and 5 days South.

There was rain on 19 days of this month, viz. 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 14th, 18th, 20th, 22d, 23d, 24th, 26th, 28th, 30th and 31st. The heaviest the 1st, 5th, 6th, 23d, 24th, 26th and 30th. Thunder gusts on the 5th, 6th, 14th, 22d, 23d, 24th, 26th, 30th and 31st. On the 26th and 30th, the streets in Harrisburg were, in many places, covered with water. There were but three days in the whole month perfectly clear of clouds; nine days fair, that is, partly clear and partly cloudy at the same time. On the other nineteen days it rained more or less each day. The rains generally fell in showers, with short intervals of sunshine between them.

The mean temperature of this month was 1 degree warmer than last June, and 8½ degrees colder than July 1830.

I think so wet a summer, in the middle part of the United States, has not been for half a century.

## REMINISCENSES OF CITY OF LANCASTER.

To refer to the early settlement of a town, and rescue from oblivion some of the transactions and original features, must be always attended with difficulty when a long period has elapsed. We have examined documents, and conversed with many of our aged and intelligent citizens; from these sources we have derived the following information:

The first deeds for lots in the town of Lancaster, bear the date of one thousand seven hundred and thirty-five. We remark the names of "Jacob Funk," "Frederick Stroble," and "John Powell," date of their deeds is May twentieth, one thousand seven hundred and thirty-five. John Powell's lot was situate at the corner of Orange and Duke streets. Dr. De Fresne resides on and owns the lot of "Frederick Stroble."

George Gibson's date of deed is fourteenth of January, one thousand seven hundred and forty, for lot number two hundred and twenty-one.

Governor Pownall thus writes: "The house in which Gibson resides, is opposite a spring, and was included in the original plot of the town;" again, "a swamp lay in front, another of some extent lay to the north."

The question arises, where lay the swamp, to the north of Gibsons? We were informed, that it was situated back of Dr. De Fresne's, but upon further inquiry, we learn that it was back of the yellow frame house in which the Doctor formerly resided, situated on Duke street, between Orange and Chestnut; the remains of which were filled up by direction of Dr. De Fresne. Several fine springs are still in existence in the vicinity

of this "swamp;" one on the lot occupied by Judge Hays, and three others. The passage that was cut to Roaring brook, appears to have been from the spring at Judge Hays's, as some vestige still remains.

An early letter thus says: "The run is called by the Germans (but as I cannot write it, shall give you the English) "noisy water," "roaring brook."

"Gibson's pasture," afterwards "Sanderson's pasture," was leased at an early period by Mr. Hamilton to Adam Reigart, Esq., and continues at the present day in the occupancy of his son Emanuel Reigart, Esq. The land of Mr. Montgomery lies nearly contiguous, but includes no part of that known formerly as "Sanderson's pasture."

An old letter mentions "the log cabin of the widow Buchanan." We cannot find her name among the purchasers of lots; therefore, suppose she was merely a tenant.

Some of the early deeds include both an in-lot and an out-lot, but it does not appear that every purchaser of an in-lot was entitled to an out-lot. The swamp to the north of Gibson's must have extended from the centre of the square (bounded by Duke, Queen, Chestnut, and Orange streets,) to the swamp (along the run) now Water street. We have been informed, as we mentioned in a former notice, that this swamp was drained by a ditch cut into the brook. The inaccuracies in the former account of the location of Lancaster, will be fully explained by what we have now stated, derived from respectable authorities.

When Sanderson gave up the occupancy of the "pasture," consisting of about twenty acres, it was leased to Adam Reigart, Esq. This was the land on which Mr. Hamilton originally intended for the town. It has a fine spring on it, is high and commanding, and would have been a beautiful and judicious scite.—*Lancaster Miscellany.*

## RAIL ROADS.

We are indebted to a gentleman of this city, who has spent time and money, and exercised talents, on the subject of internal improvement, for the following letter from a congenial spirit. Our readers have once or twice been indebted to the same source, and through the same channel, for important information on the subject of rail-roads.—*United States Gazette.*

Conversation with Mr. Woodhouse, Engineer of the Cromford and Park Forest Rail-Way, when I visited that work, June 17, 1831.

This rail-way is 32½ miles long, and has been in progress six years, and will be completed on the 1st of July, 1831, at an expense of £140,000. Of the whole length, only 11½ miles are a double line of rail-way—the remaining 21 miles are a single line, but so constructed, that an additional tract can be laid at the moderate expense of £20,000. The rails are of cast iron, and are in lengths of 4 feet, each weighing 84 lbs., and they cost about 20 per cent. less than wrought iron rails. They are edge rails. The difficulties overcome are great. In the first place, there are 9 inclined planes, of which 5 overcome an ascent of 1000 feet from Cromford, and 4 a descent of 800 feet to Whaley Bridge. In the second place, there is much deep cutting, several tunnels (one of 590 yards long through a coal measure), and several expensive embankments. At the inclined planes, the steam engines (18 in number) are in pairs; of which, 7 pairs are of 20 horse power each, and 2 pairs of 10 horse power each. The longest plane is 850 yards. The greatest rise on the planes, is at the rate of 4½ inches to the yard—the least is 2½ inches to the yard. The velocity in ascending the planes is 4 miles per hour. The cost of transporting coal and lime, is 1½d per ton per mile—for merchandise, the cost is 3d per ton per mile. Horse-power is used on the levels, and is not intended to carry passengers. It is supposed this rail-way will

not, for some years, be productive property, the stock is now selling for £50 to £100 paid, but when united with the Manchester and Liverpool railway, it is supposed it will become valuable. This union will be effected in a few years by the Manchester and Sheffield Railway Company; of whose road 19 miles will be so much towards the accomplishment of the union, and the remaining 1 mile will be made by the Cromford and Park Forest Railway Company. From this you will understand, that the western termination of this railway at Whaley Bridge, is 20 miles distant from Manchester. The object in constructing this railway is to effect a union between the "Cromford and Derby Canal" and the "Manchester and Whaley Canal," which it may be said is now accomplished. This railway is altogether in Derbyshire, and goes over the Peak. The celebrated engineer, Mr. Jessup, planned and laid out this railway. The reason for having two steam engines at each plane, is, in case of accident to one of them, the other may be used, so that there will be no interruption to the traffic.

LIVERPOOL, June 23, 1831.

My Dear Sir—Knowing how deep an interest you feel in all works for the promotion of the prosperity of our country, I send you a memorandum of the heads of a conversation I had with Mr. Woodhouse, of the Derbyshire railway, as I think the circumstances of this enterprise are so similar to those of the contemplated railway over the Allegheny Mountain, to join the Eastern and Western Grand Canal of Pennsylvania, that its successful accomplishment may stimulate our state to renewed exertion to finish the portage railway in the shortest possible time. You may inquire, why it is thought this railway will not be productive property? The reason is, that it is on no great thoroughfare, and its route is over the highest hills in England, where there is little or no population, and the lead mines, for the conveyance of whose produce, this work was principally introduced, are now almost deserted. As soon as the junction of the Manchester railway is accomplished, there will be a complete rail-road communication from Liverpool to the Valley of the Derwent, when this work will be a thoroughfare for the traffic between Liverpool and Manchester on the west, and Derby and Nottingham and other rich and populous places on the east. This railway will then be a productive work. Our portage railway is on the great thoroughfare between the Atlantic coast and the immense and fertile region of the west, and cannot fail to be productive of revenue to the state as soon as completed. Pray exert your influence to have our railway over the Allegheny completed soon. Without it, our great Eastern and Western Canals will be comparatively of little value.

I am sure you will be much gratified with the Liverpool and Manchester Railway. I have travelled on it some twelve or fourteen times, and each time I am more pleased with it. The usual number of passengers daily, is about 1,200, who are about one hour and a half on the journey—on a particular occasion, a locomotive went from town to town in fifty-eight minutes. I have been one of 300 passengers in a train; but on the late occasion of the Newton races, there was a train consisting of three locomotives and thirty-five carriages, which contained 900 passengers. It was an exceedingly imposing sight to view this immense line of carriages flying along at the rate of (in some places) one mile per minute. Nothing can exceed the magnificence and comfort of this means of conveyance. Every day the importance of this great work is becoming more and more properly appreciated. Guernsey's locomotive has been running on the common turnpike road, from Cheltenham to Gloucester for the last four months, full of passengers, without a single accident. The cause of the accident, the other day to his locomotive at Glasgow, was, that when he left that town to return to Cornwall, he took from it several important parts of the machinery, to prevent it from being used during his absence, but

contrary to his orders, the missing parts were supplied, by a person ignorant of the principles of the machine, and when put in motion, the accident occurred, which you will see mentioned in the newspapers. Mr. Guernsey has been most unfairly treated. The distance between Cheltenham and Gloucester is upwards of nine miles, and the journey is accomplished within the hour. When will our abominable turnpikes be made sufficiently good to enable locomotives to travel on them?

### TEMPERANCE.

The following answers to inquiries made by "the Pennsylvania Society for Discouraging the Use of Ardent Spirits," further illustrating the evils and cost of *Intemperance* to the community. Nearly all the business which engages the attention of our magistrates, and criminal courts, originates in the indulgence of that pernicious habit.

COUNTY COMMISSIONERS OFFICE, }  
July 25, 1831.

Dear Sir—In compliance with the request contained in your communication of the 22d instant, we now send you a statement of the costs paid during the last four years, by the County, for Prisons and Criminal Courts, together with the cost of the Debtor's Apartment. Knowing the very laudable and praiseworthy object you have in view, it affords great pleasure to the Board to serve you now, and at any time hereafter, with such information as may be in our power to furnish.

Years.	Mayor's Court.	Qr. Sessions.	Oyer & Ter.
1827,	\$8,648 46	\$7,932 86	\$1,234 07
1828,	7,186 36	6,210 25	1,091 46
1829,	6,566 62	6,674 20	1,501 74
1830,	7,439 60	6,614 65	1,373 61
	\$29,841 04	\$27,431 96	\$5,200 88

	House of Correction, Arch street Prison.	Criminal Apartment, Walnut street Prison.	Debtors' Apartment.
1827,	\$13,278 71	\$5,095 17	\$1,108 11
1828,	13,221 69	4,056 80	1,441 61
1829,	12,246 16	256 22	1,541 76
1830,	14,002 20	71 81	1,336 50
	\$52,748 76	\$9,480 00	\$5,417 98

### RECAPITULATION.

Mayor's Court,.....	\$29,841 04
Quarter Sessions,.....	27,431 96
Oyer and Terminer,.....	5,200 88
House of Correction,.....	52,748 76
Criminal Apartment,.....	9,480 00
Debtor's Apartment,.....	5,417 98

Amount for four years,.....\$130,120 62

With great respect, we are,

Your obedient servants,

JOHN THOMPSON,

DANIEL THOMAS,

THOMAS MAGUIRE,

Comm'rs of the County of Phil.

To ROBERTS VAUX, President of the Pennsylvania Society for Discouraging the Use of Ardent Spirits.

PHILADELPHIA, July 28, 1831.

Dear Sir—I will with great pleasure give you all the information which you required by your note of 27th instant.

There is no situation which exhibits more clearly the evil effects of the too frequent use of *Ardent Spirits*, than that which I now hold. The whole number of persons brought before the Mayor, on the charge of intoxication, since the 25th of October last, is 628. There

has been before him for breaches of the peace, which can be clearly traced to the use of *strong drink*, 277; and of those committed as vagrants, brought to that condition by intemperance, 289; making in all 1194.

There are besides many cases of assaults and batteries, which may be traced to the same source.

I am, Sir, with respect, your obed<sup>t</sup> serv<sup>t</sup>,

JOHN S. CASH, Clerk to the Mayor.

TO ROBERTS VAUX, Esq. President of the Pennsylvania Society for Discouraging the Use of Ardent Spirits.

### JUNIATA COUNTY.

*An Act erecting all that part of Mifflin county South and East of the Black Log and Shade Mountains into a separate county to be called Juniata.*

SECTION 1. Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all that part of Mifflin county laying south and east of a line beginning on the summit of Black Log mountain where the Huntingdon county line crosses the same, and running thence along the Juniata river, thence crosses the same to a marked Black oak standing by the road on the north of said river about the middle of the Long Narrows, known as a line tree between Derry and Fermanagh townships in said county, thence along the summit of Shade mountain to the line of Union county, and thence along said line down Manhantango creek to the Susquehanna river, shall be, and the same is hereby declared to be erected into a separate county to be called Juniata.

SECT. 2. And be it further enacted by the authority aforesaid, That the inhabitants of the said county of Juniata from and after the first day of September next, shall be entitled to, and all times thereafter have, all and singular the courts, jurisdictions, offices, rights and privileges to which the inhabitants of other counties of this state are entitled by the constitution and laws of this commonwealth.

SECT. 3. And be it further enacted by the authority aforesaid, That the several courts in and for the said county of Juniata shall be opened and held at such houses as may be designated by the commissioners of said county to be elected at the next general election, until a court house shall be erected in and for the said county, as is hereinafter directed, and shall be then held at said court house.

SECT. 4. And be it further enacted by the authority aforesaid, That all suits and cases which shall be pending and undetermined in the court of common pleas of Mifflin county on the first day of September next, where both parties in such suit or suits shall at that time be resident in the county of Juniata, shall be transferred to the respective courts of Juniata county, and shall be considered as pending in said court, and shall be proceeded on in like manner as if the same had been originally, commenced in said court, except that the fees on the same due to the officers of Mifflin county shall be paid to them when recovered by the prothonotary or sheriff of Juniata county, and the prothonotary of Mifflin county shall, on or before the first day of June next, purchase dockets and copy therein all the docket entries respecting the said suits and cases to be transferred as aforesaid, and shall on or before the first day of August next have the said dockets together with the records, declarations, and other papers respecting said suits and cases, ready to be delivered to the prothonotary of Juniata county, the expenses of said docket and copying to be paid by the county of Juniata, on warrants to be drawn by the commissioners of Juniata county on the treasurer thereof.

SECT. 5. And be it further enacted by the authority aforesaid, That all taxes or arrears of taxes laid, or which have become due, within the said county of Ju-

niata, before the passing of this act, and all sums of money due to this commonwealth for militia fines in said county of Juniata shall be collected and received as if this act had not been passed; *Provided always*, That the money arising from the county taxes assessed or to be assessed within the limits of the county of Juniata, subsequently to the first day of November last, shall from time to time as the same may be collected, be paid into the treasury of the county of Mifflin for the use and benefit of said county of Juniata, and if a treasurer shall be appointed in the county of Juniata, and the treasurer of the county of Mifflin shall keep separate accounts thereof and pay the same to the treasurer of the county of Juniata as soon as he shall have been appointed, and whatever part of said taxes that have been assessed since the first day of November last may remain uncollected, in the county of Juniata at the time of the appointment of the treasurer thereof, the same shall be collected in the usual manner and paid into the treasury of the county of Juniata.

SECT. 6. And be it further enacted by the authority aforesaid, That the sheriff, treasurer, prothonotary, and all such officers as are by law required to give surety for the faithful discharge of the duties of their respective offices, who shall hereafter be appointed or elected in the said county of Juniata, before they or any of them shall enter on the execution thereof, shall give sufficient security in the same manner and form and for the same uses, trusts, and purposes as such officers for the time being are obliged by law to give in the county of Mifflin.

SECT. 7. And be it further enacted by the authority aforesaid, That the sheriff, coroner, and other officers of the county of Mifflin shall continue to exercise the duties of their respective officers within the county of Juniata as heretofore until similar officers shall be appointed agreeably to law within said county, and the persons who shall be appointed associate judges for the county of Juniata shall take and subscribe the requisite oaths or affirmations of office before the prothonotary of the court of common pleas of Mifflin county, who shall file a record of the same in the office of the prothonotary of the court of common pleas of the county of Juniata, who may be appointed at any time after the passing of this act.

SECT. 8. And be it further enacted by the authority aforesaid, That the inhabitants of Mifflin county and of the county of Juniata shall jointly elect two representatives, and in conjunction with Huntingdon and Cambria counties, one senator to serve in the legislature of this commonwealth in the same mode, under the same regulations, and make returns in the same manner as is or shall be directed by the laws of this commonwealth for conducting and making returns of the election of the county of Mifflin any thing in this act, to the contrary notwithstanding.

SECT. 9. And be it further enacted by the authority aforesaid, That the governor be, and he is hereby authorized and required, on or before the first day of May next, ensuing, to appoint three discreet and disinterested persons not resident in the counties of Mifflin or Juniata, whose duty it shall be to fix on a proper and convenient site for a court house, prison, and county offices within the aforesaid county of Juniata, as near the centre thereof as circumstances will admit, having regard to the convenience of roads, territory, population, and the accommodation of the people of the said county, generally; and said persons or a majority of them, having viewed the relative advantages of the several situations contemplated by the people, shall on or before the first day of July next, by a written report under their hands or under the hands of a majority of them, certify, describe, and limit the site or lot of land which they shall have chosen for the purpose aforesaid, and shall transmit the said report to the governor of this commonwealth, and the persons so as aforesaid appointed shall each receive three dollars per diem for



their services out of the monies to be raised in pursuance of this act; *Provided always*, That before the commissioners shall proceed to perform the duties enjoined on them by this act, they shall take an oath or affirmation before some judge or justice of the peace well and truly to perform with fidelity said duties, without favor of any person according to the true intent and meaning of this act.

SECT. 10. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the commissioners of the county of Juniata, who shall be elected at the next annual election, to take assurance to them and their successors in office of such lot or lots or piece of ground as shall have been approved of by the persons appointed as aforesaid, or a majority of them, for the purpose of erecting thereon a court house, jail, and offices for the safe keeping of the records, and the county commissioners are hereby authorized to assess, levy, and collect in the manner directed by the act for raising county rates and levies a sum sufficient to defray the expenses thereof, and also are hereby authorized to assess, levy and collect for the purpose of building a court house and prison, which they are hereby authorized to erect, a sufficient sum to pay the expenses thereof.

SECT. 11. And be it further enacted by the authority aforesaid, That the said county of Juniata shall form a part of the district composed of the counties of Hopkinton, Centre, Mifflin and Clearfield, for the election of members of Congress.

SECT. 12. And be it further enacted by the authority aforesaid, That the judges of the supreme court shall have like powers, jurisdictions, and authorities within the said county of Juniata, as by law they are vested with and entitled to have and exercise in other counties of this state, and the said county is hereby annexed to the middle district of the supreme court.

SECT. 13. And be it further enacted by the authority aforesaid, That the county of Juniata shall be annexed to and compose part of the twelfth judicial district of this commonwealth, and the courts in said county of Juniata shall be held on the first Mondays of February, May, September, and December, in each and every year and to continue one week at each term if necessary.

SECT. 14. And be it further enacted by the authority aforesaid, That certioraries directed to, and appeals from the judgment of any justice of the peace of the said county of Juniata, and all criminal prosecutions which may originate in the said county before the test day hereinafter mentioned, shall be proceeded in as heretofore in the courts of common pleas and quarter session of the county of Mifflin, and all process to issue from the courts of the said county of Juniata, returnable to the first terms in said county, shall bear teste on the third Monday of October next.

SECT. 15. And be it further enacted by the authority aforesaid, That the judges of the district elections within each of the said counties of Mifflin and Juniata, after having formed the returns of the whole election for senators and representatives, as the case may be within each county, in such manner as is or may be directed by law, shall on the third Tuesday in October, in each year, send the same by one or more of their number to the court-house in the borough of Lewistown, in the county of Mifflin, when and where the judges so met shall case up the several county returns, and execute under their respective hands and seals as many returns for the whole district as may be requisite, and also transmit the same as is by law required to the return judges in other districts.

SECT. 16. And be it further enacted by the authority aforesaid, That in all cases when it would be lawful for the sheriff, jailor, or prison keeper, of the county of Juniata, to hold in close custody the body of any person in the common jail of the said county, if such jail were at this time erected in and for the said county, such person shall be delivered to and kept in close custody by the sheriff, jailor, or prison keeper, of the county of

Mifflin; who upon delivery of such prisoners to him or them, at the common jail of the said county of Mifflin, shall safely keep him, or her, or them, until they be discharged by due course of law, and shall also be answerable in like manner, and liable to the same pains and penalties, as if the person so delivered were liable to confinement in the common jail of Mifflin county, and the parties aggrieved shall be entitled to the same remedies against them or any of them, as if such prisoner had been committed to his or their custody by virtue of legal process issued by proper authority of the said county of Mifflin: *Provided always*, That the sheriff of Juniata county be allowed out of the county stock of said county, ten cents per mile as a full compensation for every person charged with a criminal offence which he may deliver to the jail of Mifflin county, by virtue of this act, in orders drawn by the commissioners of Juniata county on the treasurer thereof.

SECT. 17. And be it further enacted by the authority aforesaid, That the sheriff, jailor, and prison keeper, of the county of Mifflin, shall receive all prisoners as aforesaid, and shall provide for them according to law, and shall be entitled to the fees for keeping them, and also to such allowance as is by law directed for the maintenance of prisoners in similar cases, which allowance shall be defrayed and paid by the commissioners of the county of Juniata out of the county stock.

SECT. 18. And be it further enacted by the authority aforesaid, That the sixteenth and seventeenth sections of this act shall be and continue in force for the term of three years, or until the commissioners of Juniata county shall have certified to the court, that a jail is erected and ready for the reception of prisoners, and approved by the court and grand jury, who shall enter their approbation, signed by them on the records of said court, and from thenceforth it shall be lawful for the sheriff of Juniata county to receive all and every person or persons who may then be confined in the jail of Mifflin county, in pursuance of this act, and convey them to the jail of Juniata county, and keep them in close custody, until they be discharged by due course of law.

Approved, March 2, 1831.

From the Presbyterian.

HISTORY OF

## THE PRESBYTERY OF PHILADELPHIA.

*From its origin, A. D. 1706, to A. D. 1831.*

No. VI.

The state of the Church at this period, was truly unhappy, and appearances augured unfavorably for its stability and extension. Presbyteries were formed upon the principle of the Old and New Light controversy, without regard to geographical boundaries; and ministers and churches, in the immediate neighborhood of each other, frequently pertained to different judicatories, and studiously avoided that friendly intercourse and fellowship which should ever unite the children of a common Lord.

By an act of the Synod of New York in 1751, those ministers and churches which favored the new measures, and who were within the natural bounds of the Presbytery of Philadelphia, were erected into a distinct judicatory under the name of the *Abington Presbytery*. This form was retained until the amalgamation of the two Synods in 1758, at which time the Presbyteries were re-modeled, and those of Abington and Philadelphia were again united. At that time the animosity of party had in a great measure subsided; each side seemed conscious that the heat of controversy had betrayed them into error; mutual concessions were made and a friendly union happily effected. After every abatement has been made for the extravagancies into which human infirmity had hurried the promoters of this excitement, it should be thankfully acknowledged, that through their instrumentality, the Church was revived and many souls were converted to God. A revival, the



genuineness of which is shown by fruits of holiness, is no less a work of the Holy Ghost, because the fallible instruments employed to promote it, throw into it a large admixture of human error.

To return: this harmony continued until 1761, when an event occurred which seemed to indicate that the heaven of this long protracted controversy had not been entirely removed. Mr. Samuel Magaw, a candidate for the ministry, was examined by the Presbytery of Philadelphia on his experimental acquaintance with religion; and his replies not proving satisfactory to some, the question was formally proposed, "whether the Presbytery were satisfied from Mr. Magaw's declaration of his experience, whether he was converted or not; and four ministers voted that they were, and seven voted that they were not." Notwithstanding this decision, the minority of ministers, through the vote of the Elders present, determined to proceed with his trials, and he was accordingly licensed. The seven ministers entered their dissent, and in the same year an overture was introduced to the Synod to this effect;—whether a candidate for the gospel ministry should be required to give a narrative of his religious experience, which should become a basis of judgment upon which he should be accepted or rejected? The Synod decided the question in the affirmative; but as considerable ferment was produced in the minority, the Synod, apparently afraid of arousing the sleeping lion, explained the vote as merely expressing an opinion, and not imposing any obligation or restraint upon particular Presbyteries.

The minority of the Philadelphia Presbytery, anticipating a recurrence of former evils, and judging that separation would conduce most to the preservation of harmony, solicited the Synod to erect them into a distinct Presbytery, to be styled the Second Presbytery of Philadelphia. This request was complied with, and the distinction continued until 1786, when the First and Second Presbyteries were blended.

From this period the Presbytery continued to increase, and to perform their duty to the Church with no material interruption of their harmony, until the occurrence of a recent event, which it is apprehended, has incurably marred their fellowship.

The particulars of this event are already before the public in various publications, and they will, no doubt, be referred to with interest by some future historian of the Church. The repetition of them here, would be a task not only ungrateful but unnecessary. The interruption to the amicable and fraternal feeling which had for so many years characterised this original judicatory is much to be deplored.

**THE RAIL ROAD**—We believe the excitement in regard to this matter, is now almost entirely allayed, and the public mind tranquilized, so far as it relates to the S.W. side—and we hope that every good citizen will calmly submit to the decision which has been made.

The first five miles of the Road, we are informed, which terminates near the bridge, on the Church Lane, within a few hundred yards of the main street of this town—is given out, under favorable contract, to a Mr. M'CORN, of Easton, in this state, to be executed and completed, in the first style, by the 1st of December next, at the rate of \$27,000 per mile. We know nothing of the estimate of the engineer.

The route will cross the turnpike first, below Nagle's hill, and again pass over from the S. E. to the S.W. side, at the foot of the hill at the Menonist meeting-house.

The road, so far as let under contract, will probably be superior to any in the United States. It will be laid with cut granite, from the "granite state"—the iron to be imported—and all the bridges to have iron barriers. These, we think, will have a favorable influence on the value of the stock—and will, we are induced to believe, enhance the price to its original advanced mark. We hope for the best; and trust, that it will in the end be a source of interest to this town.—*Germantown Telegraph.*

For the Register of Pennsylvania.

## THE ALCHEMIST.

No. XXV.

### ON THE ODES OF AKENSIDE.

I have often re-perused the Odes of Dr. Akenside, partly with a view to the intrinsic poetical merit which occasionally appears in them, but in a great measure from their forming a curious and interesting study, as a specimen of human nature. Nursed in an ancient and learned university, and secluded by various combining circumstances from any very intimate mixture with mankind, until an age when the character is usually formed, and stamped with marks which adhere to it permanently during the remainder of life—he seems to have become thoroughly confirmed in that simplicity of character which is so unsparingly ridiculed in Smollett's novel, *Peregrine Pickle*. Something of this kind is, probably, the cause of his limited success in the exercise of his profession; Dr. Akenside having reached the age of forty-nine years, according to his biographer, without ever attaining "to any great extent of practice, or eminence of popularity." This failure, too, was incurred in spite of repeated and long continued efforts to attain professional eminence by the direct and fair means. Thus we learn, that he patiently confined the labours of his pen for many years to his profession, producing a number of valuable medical essays; and that he was distinguished, evidently in consequence of the respect in which his character and acquirements were held, by a succession of honorary and really honourable appointments, including that of one of the physicians to the Queen; yet, notwithstanding all these, his pecuniary difficulties were so great, that he seems to have been preserved from the actual pressure of poverty, with all its concomitant mortifications, and probably the complete ruin of his brightest hopes, by the very unusual liberality of his friend, Mr. Dymon. To this gentleman, he was under the humiliating obligation implied in the reception of three hundred pounds a year—paid to enable him to support his character. When we combine this, with the sarcasm of Smollett, have we not a right to infer that, by eccentricities of manner and want of knowledge of the world, his own conduct must in some way have formed a bar to his success; and popularity not having been forced on him by any of those caprices of public opinion, which so often elevate not only the undeserving, but the singular and the disagreeable, he was doomed to spend the years of his pilgrimage in the prolonged and melancholy struggle, of patient and toiling genius smarting with want and disappointment.

Under these views, the analysis of his character acquires a new and painful interest; and we shall find, I think, that much of it is displayed in his Odes. His great work, "*The Pleasures of the Imagination*," was prepared elaborately, in the shades of intentional retirement, and before his spirit had been broken by a succession of defeats, and by "the sickening pang of hope deferred." It exhibits rather a view of some of the author's abstract doctrines and imaginings, than any real information in regard to the tone of his actual feelings; which, perhaps, had not then been fully developed.

In the Odes, on the other hand, Akenside appears to me to have given vent, in the simplest manner, to many of the feelings and influences by which he was habitually governed. The beauty of the verse, and the other general merits of these productions, have been acknowledged by various critics; but what has principally attracted my attention, is the species of philosophy they contain. The author seems to have formed to himself a scheme of conduct reposing upon the love of praise, as properly belonging to noble actions, and the service of our fellow-creatures. These views are strongly exemplified in the seventeenth Ode, in the first book, "On a Sermon against Glory."

"For with me nor pomp nor pleasure,  
Bourbon's might, Braganza's treasure,  
So can Fancy's dream rejoice,  
So conciliate Reason's choice

As one approving word of her impartial voice.

If to spurn at noble praise  
Be the passport to thy heav'n,  
Follow thou those gloomy ways!  
No such law to me was giv'n;  
Nor, I trust, shall I deplore me,  
Faring like my friends before me;  
Nor an holier place require  
Than Timoleon's arms acquire,

And Tully's curule chair, and Milton's golden lyre."

Whatever may be thought of the theology of the five last lines, it will not be denied that they are a in strain of vigorous and elevated poetry. In book second, Ode fifth, we find the subject resumed, in a set argument; by which it is urged, that the love of praise forms the most powerful of all sublunary incitements to virtuous actions, and those which are beneficial to the community; and the writer proceeds to infer, that, the real value of praise depending on the judgment of the praiser, a sense of religious duty itself, may be defined to consist in seeking the approbation of the Supreme Being; and that a true and honourable praise, to wit, that granted by the wise and good, derives a real value from the analogy. I cannot resist the temptation to introduce two of the stanzas, as possessing peculiar beauty.

"Nor any partial, private end,  
Such reverence to the public bears;  
Nor any passion, Virtue's friend,  
So like to Virtue's self appears.  
For who in glory can delight  
Without delight in glorious deeds?  
What man a charming voice can slight,  
Who courts the echo that succeeds?"

In various places throughout the volume, we find the conferring and perpetuating of just praise, appropriated as the legitimate end and office of poetry; and particularly in Ode seventh, book first.

In book second, Ode eleventh, he acknowledges himself in love in the abstract; not having fixed upon any particular lady.

Now, when we reflect upon the entire antique turn which his poetry, and the whole reach of his mind assume, the learning of his allusions, which frequently renders his verses hard to be understood by the ordinary reader, and the perpetual reference to abstract principles, with which the Odes are so strongly characterized, we shall, I think, be led to view our highly gifted but

unfortunate author, as a man entirely wrapped up in his meditations, and very unlikely, indeed, to fall in advantageously with the every day business of life. He lends himself to all the enthusiasm of ancient lore; and seems to wish to devote his whole mind to poetry and philosophy. He is ardently attached to England, as the land of Liberty and liberal cultivation of the mind; and appears to despise the natives of Holland, (book first, Ode eighth), where he acquired his own learning, for their prudential habits and love of money—two points of character, indeed, the possession of which would have made him much happier. Yet, with considerable powers of intellect, and no mean genius, he does not appear to have been able sufficiently to hit the popular taste. His Odes have had no widely diffused or enduring popularity; and the length of their sentences, and the frequency of their classical and historical allusions, form, perhaps, a serious impediment to their ever attaining what he so ardently wished—a general reputation. In the search of abstract merit, he appears to have overlooked the study of that adaptation either to the indolence of the reader, or the caprice of the age, the want of which is, in general, sufficient to defeat any literary undertaking. The result was the common doom of poetical genius—poverty, mortification, and dependence during life, and a permanent niche for one of his productions, among the standard literature of his country.

To a mind thus given to intellectual enjoyments, and suffering in all external things, it was surely a valuable comfort to be well persuaded of the dignity of his calling; and with a quotation which expresses, in unusually happy verse, the author's success in attaining this gratification, I shall close my essay.

"Not far beneath the hero's feet,  
Nor from the legislator's seat,  
Stands far remote the bard—

Lycurgus fashion'd Sparta's fame,  
And Pompey to the Roman name  
Gave universal sway.

Where are they?—Homer's reverend page  
Holds empire to the thirtieth age,  
And tongues and ciimes obey.

And thus, when William's acts divine  
No longer shall from Bourbon's line  
Draw one vindictive vow;  
When Sidney shall with Cato rest,  
And Russell move the patriot's breast  
No more than Brutus now;

Yet, then shall Shakspear's powerful art  
O'er ev'ry passion, ev'ry heart  
Confirm his awful throne;  
Tyrants shall bow before his laws,  
And freedom's, glory's, virtue's cause,  
Their dread asserter own." P.

POTTSFORD, July 9.

*Gold Mine.*—A gentleman has left in our possession a specimen of ore found in the mine on the premises of Mr. Bredlinger, in New Hanover township, Montgomery county; which will be shown to persons anxious to examine it by calling at this office. They are now busily engaged in taking the water, old pump stocks, tools and other nuisance out which have been found exactly as was stated by a person on his death bed, several years ago, who formerly worked in the mine.

# Census of some of the principal Public Institutions of the City,

JUNE 1, 1830.—(ABSTRACT FROM THE RETURNS TO THE MARSHAL.)

	Walnut street Prison.	Prune street Prison.	Eastern Penitentiary.	Arch street Prison.	House of Refuge.	Philadelphia Almshouse.	Children's Asylum.	Wharton's Almshouse.	Moyamensing Almshouse.	Penn's Hospital.	Friend's Asylum.	Orphan's Asylum.	St. Joseph's Orphan Asylum.	Sisters' Charity, Prime st.	Widows' Asylum.	Christ Church Hospital.	Deaf & Dumb Asylum.	TOTALS.
<b>WHITE MALES.</b>																		
Under 5 years	0	0	1	2	0	0	35	2	3	0	0	0	0	2	0	0	0	45
From 5 to 10	0	0	0	0	5	14	70	2	1	0	0	40	3	5	0	0	4	144
10 to 15	0	0	0	2	33	12	4	0	6	0	3	0	0	0	0	0	9	69
15 to 20	0	10	3	12	47	13	0	0	3	0	0	0	0	0	0	0	14	102
20 to 30	48	12	17	26	5	64	1	2	59	2	2	0	0	0	0	0	15	232
30 to 40	73	1	4	44	3	79	0	2	37	1	0	0	0	0	0	0	2	246
40 to 50	70	1	3	21	1	78	0	2	16	0	2	0	0	0	0	0	0	195
50 to 60	39	1	0	0	0	56	0	2	20	0	2	0	0	0	0	0	0	121
60 to 70	5	0	0	0	0	64	0	2	14	0	3	0	0	0	0	0	0	88
70 to 80	0	0	0	0	0	23	0	2	2	0	0	0	0	0	0	0	0	27
80 to 90	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	4
90 to 100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
100 and upwards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total White Males</b>	235	25	28	107	94	407	110	17	161	12	43	5	7				44	1293
<b>WHITE FEMALES.</b>																		
Under 5 years	0	0	0	0	2	22	7	0	2	0	0	14	1	0	0	0	0	48
From 5 to 10	0	0	0	2	7	6	5	2	0	0	50	5	2	0	0	0	7	86
10 to 15	0	0	0	3	8	6	2	0	2	0	10	6	4	1	0	0	10	52
15 to 20	2	0	0	1	25	14	0	0	6	0	0	1	0	0	0	0	10	63
20 to 30	10	0	4	20	3	82	0	0	25	2	2	2	4	0	0	0	9	164
30 to 40	8	0	1	12	3	93	4	0	31	2	0	0	0	0	0	10	1	165
40 to 50	2	0	0	5	0	75	1	0	22	3	0	1	0	1	10	0	120	
50 to 60	1	0	0	0	0	82	0	2	11	3	1	0	0	0	0	5	1	106
60 to 70	1	0	0	1	0	58	0	1	10	4	0	0	0	0	43	5	0	123
70 to 80	0	0	0	0	0	36	0	0	2	0	0	0	0	0	0	3	0	41
80 to 90	0	0	0	0	0	16	0	0	0	0	0	0	0	0	0	2	0	21
90 to 100	0	0	0	0	0	8	0	0	0	0	0	0	0	0	0	0	0	8
100 and upwards	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	2
<b>Total White Females</b>	24		5	44	48	500	19	5	111	15	63	29	11	52		35	38	999
<b>COLOURED MALES.</b>																		
Under 10 years	0	0	0	1	0	4	0	0	1	0	0	0	0	0	0	0	0	6
From 10 to 24	8	42	0	11	0	10	0	0	4	0	0	0	0	0	0	0	0	75
24 to 36	64	0	5	30	0	14	0	0	1	0	0	0	0	0	0	0	0	112
36 to 55	50	0	2	28	0	12	0	1	0	0	0	0	0	0	0	0	0	93
55 to 100	6	0	1	6	0	11	0	0	0	0	0	0	0	0	0	0	0	24
100 and upwards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Col'd Males</b>	128	42	6	76		51		1	6									310
<b>COLOURED FEMALES.</b>																		
Under 10 years	0	0	0	2	0	6	0	0	2	0	0	0	0	0	0	0	0	10
From 10 to 24	6	0	0	15	0	13	0	0	1	0	0	0	0	0	0	0	0	35
24 to 36	12	0	0	35	0	8	0	2	1	0	0	0	0	0	0	0	1	59
36 to 55	25	0	0	6	0	11	0	0	0	0	0	0	0	0	0	0	0	42
55 to 100	1	0	0	3	0	14	0	0	0	1	0	0	0	0	0	0	0	19
100 and upwards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Col'd Females</b>	44			61		52		2	4	1							1	165
<b>Total Whites</b>	259	25	33	151	142	907	129	22	272	27	106	32	18	52	35	82	2292	
<b>Total Coloured</b>	172	42	6	137	0	103	0	3	10	1	0	0	0	0	0	1	475	
<b>General Total</b>	431	67	39	288	142	1010	129	25	282	28	106	32	18	52	35	83	2767	

## CRIMINALS—(IN THE FIRST FOUR INSTITUTIONS).

Whites.....468, or 0.27 per cent. on white population of City and County of Philadelphia.

Blacks.....357, or 2.29 coloured do. do. do. do.

Total..... 825

## ALMSHOUSES.

Whites.....929, or 0.54 per cent. on white population of City and County of Philadelphia.

Blacks.....106, or 0.68 coloured do. do. do. do.

Total.....1035—in the City and Moyamensing Alms-houses.

☞ The census includes the Superintendents and their families; and most of the Institutions contain persons from other parts of the state, as well as from the city and county.

From the United States Gazette.

## THOUGHTS ON EMIGRATION

FROM EUROPE TO THE UNITED STATES.

No. VI.

Taxes are so light in Pennsylvania, as scarcely to be felt by any one. A farmer who owns a farm of two hundred acres, with a comfortable dwelling house, barn, and other improvements, actually worth two thousand dollars, but assessed at only one thousand, would have to pay seven dollars per annum, and no more, viz:

County tax, $\frac{1}{2}$ per cent, on \$1000, the assessed value, - - - - -	\$5
State tax, 1-10th per cent, (to pay interests on roads and canals) - - - - -	1
Personal tax, - - - - -	1
	\$7

Can any man complain of these taxes, and say they are oppressive and unjust, or that the objects for which they are imposed do not fully justify them? If there are such men among us, let them for a moment cast but a glance at the *agriculturists* in England, Ireland, Scotland and Wales. Let them compare their situation, with the same class of people in this country, and *then*, if they have a particle of candour about them, let them *acknowledge the truth!* A farmer in many parts of England has to pay annually as much rent for his farm, and the owner nearly half as much for his taxes, as a good tract of land, of equal size, in many parts of Pennsylvania would cost in fee simple. *Pennsylvania* stands foremost in agriculture and manufactures among her sister states, and has the advantage of both inland and foreign trade. Nature has done much in regard to her navigable rivers, and art is now performing what nature did not complete. Philadelphia, her commercial emporium, which contains 180,000 inhabitants, is celebrated for building the handsomest and best ships in the world; and the capital and integrity of her merchants, give an assurance of accommodation and safety, to all who trade with her. Pennsylvania has no dispute with the Indians, about titles or boundary lines; all her lands were purchased by *William Penn*, in a fair and open manner: the Indians were satisfied and have never since uttered a complaint.

The vast quantities of coal and wood, the copious supplies of wholesome water, and the inexhaustible mines of iron ore in Pennsylvania, add greatly to her importance and wealth. Her inhabitants are generally the descendants of the English, Irish, and Germans, with a mixture of the Welsh, Scotch, Swedes, and Dutch; and in the cities and towns, there are many residents and strangers from France, Spain, Italy, Portugal, and the West Indies. The people are in general temperate, industrious, and independent in their circumstances; intelligent in their minds; and moral in their conduct. It is a rare circumstance, to meet with any man who cannot read either the English or German language, and very few are to be found who cannot write. The people of Pennsylvania enjoy liberty unpolluted by the breath of slavery, which is not suffered to exist in this commonwealth of freemen? Fifty-one years ago it received its death blow! The legislature of Pennsylvania, passed a law in 1780, for the gradual abolition of slavery; declaring, that no person born within the state after the passing of the act, should be considered as a slave or servant for life; and that no person should be admitted into the state and held as a slave thereafter. So that there cannot now be a slave in Pennsylvania under 51 years of age, and of those that were in the state, when the law passed, most, if not all of them, have been liberated by death or manumission, or been removed to other states.

Pennsylvania is divided into fifty-three separate districts, or counties, allowing the city of Philadelphia to be one. Its length is 288 miles from east to west; its breadth 156 miles from north to south. The most moun-

tainous parts of the state, are in the counties of Bedford, Cumberland, Franklin, Cambria, Centre, Clearfield, Schuylkill, Dauphin, Huntingdon, Northampton, and Lehigh, through which pass the ridges and spurs which form what are called the *Allegheny* and *Blue Mountains*; but even in these counties, there are many very rich and extensive valleys, and a large portion of fine upland. Some of the mountains admit of cultivation to their very tops, and yield grass and grain plentifully. The meadows are rich and luxuriant, and the hills are covered with abundance of pasture for cattle, sheep, hogs, deer, and goats. The best lands produce walnut and chestnut; the next best maple, beech, oak and hickory; the third quality, pine, spruce, and hemlock; and the poorest lands are encumbered with shrubs, brambles, and bushes. The oak, white pine, hemlock, and chestnut, are very fine and abundant in almost every county in the interior of the state, and on the tops of some of the highest mountains, the greatest quantities of bituminous and anthracite coal are to be found; rendering a portion of the lands in those situations, of very great additional value.

No difficulty lies in the way of the foreigner, who wishes to become a citizen. It requires the residence of only five years. On the day of his landing on our shores, he may buy a farm, a house, or merchandize; he may open a counting-house, a workshop, or an office, and pursue his business as though he were a native of the country. The right of suffrage he may obtain, as soon as he becomes a citizen; and he is then eligible to a seat in the legislature, agreeably to the 3d article of the constitution of Pennsylvania, which declares, that "no person shall be a representative who shall not have attained the age of twenty-one years, and have been a citizen and inhabitant of the state three years next preceding his election, and the last year thereof an inhabitant of the city or county in which he shall have been chosen."

The free exercise and enjoyment of religion, prevails in every section of this great and growing commonwealth, as pure as it is in any part of the world. The various religious denominations consist of Episcopalians, Presbyterians, Baptists, Roman Catholics, Quakers, Methodists, German Lutherans, Moravians, Menonists, Dunkers, Universalists, Unitarians, and Jews; all, and each of whom, may worship their God according to their respective tenets, forms, and beliefs, without interference, restraint, or molestation from any quarter. CIVIS.

## No. VII.

It is of the first consequence to nations, to be able to supply themselves with subsistence from their own soil, and as far as circumstances will allow, to manufacture for themselves such articles as would conduce to their comfort and independence. The *raw materials*, viz: iron, lead, coal, flax, hemp, cotton, silk, and wool, may be raised and obtained in the United States to any extent; and *improved machinery* has so much reduced the application of manual labor, as to enable us, in a material degree, to stand in competition with many of the European establishments and in some instances, greatly to surpass them. Manufactures of various kinds are conducted with great success, and to a considerable extent, in Philadelphia and its vicinity. It was ascertained, about a year ago, and published in many of our public journals, that we possessed 104 warping mills, 4500 weavers, 3000 spoolers, 2000 bobbin winders, and 200 dyers, whose wages amounted to \$1,470,000 per annum, and that the consumption of indigo was 121,000 lbs. a year. A variety of cotton goods, such as sheetings, shirts, checks, chambrays, and calicoes, are not only manufactured cheaper in many parts of the United States than they can be imported from abroad; but we can, and do, export large quantities to the West Indies, South America, and other foreign markets. If we have a deficiency of labor, that deficiency is, in a great measure, supplied by the superabundance of the raw material,



and the reduced rates of provisions and living, which must operate as powerful inducements to many of the unemployed operatives in Europe, to join our establishments; and as an increase of foreign labour would produce an increased consumption of provisions, the farmer would undoubtedly receive an important benefit therefrom. If the effect of manufacturing for ourselves, was to divert a portion of the lands which would otherwise be engaged in tillage, to its use, it might diminish their cultivation, but the tendency to procure an increased demand for the productions of the soil, would naturally create a more extensive cultivation, and render our lands much more productive. Manufactures are calculated not only to increase the benefits derived from useful and productive labor, but to improve the state of agriculture, and advance the interests of those who are engaged in it. It is therefore evident, if the premises I have assumed are correct, that Pennsylvania offers greater encouragement to foreign emigrants, to settle on her unoccupied lands, to work in her manufactories, and to reside in her towns, than they can find in any country on earth! And if a land office, such as I have suggested in a previous number, for the purpose of giving information to the stranger, and enabling him to make an advantageous selection of a farm for himself, were established in Philadelphia, with two or three branches properly located in the country, I have no hesitation in saying, that it would eminently tend to promote the interest of the landholder, and at the same time be very useful to the emigrant in search of a settlement.\*

It is now ascertained by Mr. Duponceau, that Pennsylvania is well calculated for the manufacture of silk. The soil and climate are both adapted to the most extensive culture of the white mulberry, furnishing the best food for the worms, which have produced large samples of cocoons, of the very first quality. Pennsylvania can raise sheep on her mountains and hills, where the grass and pasturage grow spontaneously, cheaper and to a greater extent than any country in Europe. Her iron is very good and very abundant; her coal is inexhaustible; and her timber unsurpassed both in quantity and quality, by any other state in the union! Do not these, and many other advantages which she possesses, place her on a most desirable eminence, and give encouragement to the stranger who is in pursuit of a settled home?

CIVIS.

### PENNSYLVANIA CANAL.

The Board of Appraisers of damages on the Pennsylvania canal and rail road was in session at this place a few days this week. The following communication, containing information which may be useful to persons who intend to lay in their claims, has been handed us for publication:—

The Board of Appraisers for determining on claims for damages by reason of the construction of canals, rail roads, &c. give public notice that they will meet at Lewistown, on the Juniata division, on the first day of September next, and thence proceed immediately to view the premises and hear the parties to the mouth of the Juniata.

In order to give claimants proper facilities, and to occasion as little delay as possible in the discussion of cases, the board request attention to the following matters:

To entitle this board to take cognizance of claims for damages, it is necessary

1st. That the matter should have been passed on by the canal commissioners and their offer rejected.

2. That an appeal in writing be entered from the de-

cision from the board of canal commissioners to the board of appraisers, and lodged with the secretary of the board of canal commissioners, or with one of the board of appraisers.

3. No particular form of appeal is required, but the following is recommended as a form which will be deemed sufficient:

*The undersigned, residing in \_\_\_\_\_ Township, county, being a person claiming damages by reason of the construction of the \_\_\_\_\_ Division of the Pennsylvania canal having declined the offer of \_\_\_\_\_ dollars, made to him by the Canal Commissioners, has appealed therefrom and desire the appraisers appointed for that purpose, to view and assess his damages.*

(Signed)

1831.

A. B.

Having disposed of the cases on that part of the Juniata, the Board will proceed to view the cases on the Delaware division, and on the Susquehanna division, so as to have passed on all those cases before the expiration of the month of October. The Board have not been able to proceed forthwith as they intended, in consequence of it being necessary to have the requisite documents and information from the Canal Commissioners' office, and to enable the canal commissioners to make the offers yet remaining to be made to claimants, and to give claimants an opportunity of determining on their acceptance or rejection of the offers thus made: as the Board of Appraisers are anxious to pass but once along the respective lines to view, &c.

JOSIAH ANKRIM,  
W. RAMSEY,  
J. M. PORTER.

Harrisburg, July 27, 1831.

### TOLLS ON THE CANAL.

The following statement of the amount of Tolls received on the Pennsylvania canal was copied from the returns of the Auditor General's office.

Amount of Tolls collected on the whole line of the Pennsylvania canal by the several collectors, for the quarter commencing 1st April, and ending 30th June, 1831, as follows, viz.

T. C. Reed, Collector at Harrisburg,	\$6,908 25
E. N. Doane, Northumberland,	1,118 07
L. Reynolds, Lewistown,	2,290 51
T. Johnston, Blairsville,	4,106 63½
Wm. B. Foster, Pittsburg,	1,543 10
D. Brennuman, Leechburg,	1,376 51
Wm. Swift, Bristol,	533 58
Robert Scott, Jr. Bridge D. Island,	1,548 23
John Nevin, Outlet L. Middletown,	597 26
Jacob Fritz, Aqueduct at Duncan's Island,	13 23
Total,	\$19,835 39½

An institution has been established in the college at Canonsburg, Pa. under the name of the "Lyceum of Natural Science of Jefferson College." The design of this association is to collect and preserve the various objects of Natural History, and the Indian Antiquities in which our western states so richly abound. A considerable collection has already been made, and suitable cases for their arrangement and exhibition will be placed in a spacious apartment in the new college edifice, which is now nearly completed. The alumni of the college, and the friends of natural science generally, are earnestly requested to aid the association in their endeavors to illustrate the natural history and antiquities of our country. Any donation left with Prof. Halsey, Pittsburg, or with the Rev. C. C. Beatty, Steubenville, or with the Curators of the Lyceum, at Canonsburg, will be thankfully received and acknowledged.—*Pittsburg Gazette.*

\*An office, something like this, I am informed is established in the city of New York; but I am not prepared to give particulars of the plan, though I have understood it has been attended with success.

## FIRE COMPANIES IN PHILADELPHIA.

In a late number we inserted from the daily papers a list of the Fire Companies in the City, which it appears from the following note from a correspondent was incorrect. His request to insert it again with the corrections, is therefore complied with. A table of the Fire Companies in 1791, is also added, extracted from Hogan's Directory for 1795.

To the Editor of the Register of Pennsylvania.

SIR—The list of Fire Companies inserted in your number for last Saturday, containing five errors, and the omission of two companies, viz, the America and Robert Morris Hose Companies. May I ask of you the favour of inserting the following corrected list?

Yours, &c. *A lover of correctness.*

July 25, 1831.

## ENGINE COMPANIES.

1. Assistance—Race, between Fifth and Sixth streets.
2. Columbia—Eighth, between Race and Vine streets.
3. Delaware—Hartung's alley.
4. Diligent—Filbert, between Tenth and Eleventh sts.
5. Fairmount—Ridge road, between Vine and Callowhill streets.
6. Federal—Third, between Tammany and Green sts.
7. Franklin—Catherine, between Third and Fourth.
8. Friendship—Brown, corner of St. John street.
9. Good Intent—Public Square, Kensington.
10. Good Will—Race, corner of Juniper street.
11. Globe—Near Globe Mill, Kensington.
12. Hand in Hand—Cherry, between Third and Fourth.
13. Harmony—Seventh, between Cherry and Race.
14. Hibernia—Dock, above Second street.

15. Hope—Corner of Second and Pine.
16. Humane—Callowhill, between Second and St. John.
17. N. Liberty—Front, above Noble.
18. Pennsylvania—Fifth, between Chestnut and Library.
19. Philadelphia—Crown, between Race and Vine.
20. Reliance—New, between Second and Third.
21. Relief—Twelfth, between Market and Chestnut.
22. Resolution—Do, do, do, do.
23. Southwark—Second, between Queen and Christian.
24. Washington—Lombard, between Ninth and Tenth.
25. Weccacoe—Second, between Queen and Christian.
26. U. States—Fourth, between Wood and Callowhill.
27. Vigilant—Race, between Front and Second.

## HOSE COMPANIES.

1. America—Corner of Walnut and Sixth streets.
2. Columbia—Seventh, between Cherry and Race.
3. Diligent—Ridge road, between Vine and Callowhill.
4. Fame—Fifth, between Chestnut and Library.
5. Good Intent—Fourth, between Chestnut & Walnut.
6. Hope—Corner of Second and Pine.
7. Humane—Ann, between Wood and Callowhill.
8. Neptune—Vine, between Fourth and Fifth.
9. N. Liberty—Badd, between Green and Coates.
10. Niagara—Third, between Catherine and Queen.
11. Philadelphia—Seventh, between Market and Arch.
12. Perseverance—Race, between Fifth and Sixth.
13. Phenix—Zane, near Seventh.
14. Resolution—Fifth, between Market and Arch.
15. Robert Morris—Corner of Lombard and Ninth.
16. Southwark—Corner of South and Second.
17. Washington—Tenth, between Filbert and Arch.
18. William Penn—Public Square, Kensington.
19. United States—Old York road, between Tammany and Green.

In all forty-six Fire Companies in the City and Liberties of Philadelphia.

## RETURN OF THE SEVERAL FIRE COMPANIES IN THE CITY OF PHILADELPHIA, 1791.

Number.	Names.	When Established.	Numb. of Members.	Numb. of Engines.	Buckets.	Ladders.	Bags.	Baskets.	Hooks.	Axes.	Poles &c.	Houses.
1.	Union.....	December 7, 1736.	30	1	240	13	60	0	2	0	0	1 80 ft
2.	Fellowship.....	January 1, 1738.	35	1	175	9	70	0	2	0	0	0
3.	Hand in Hand.....	March 1, 1742.	40	1	160	0	40	40	0	0	0	0
4.	Heat in Hand.....	February 22, 1743.	40	1	80	0	0	0	0	0	0	0
5.	Friendship.....	July 30, 1747.	40	2	240	11	40	40	4	0	0	1 120
6.	Hibernia.....	February 22, 1752.	40	1	160	2	40	40	0	0	0	0
7.	Vigilant.....	" 22, 1760.	35	1	70	2	35	35	0	0	0	0
8.	Delaware.....	May 22, 1761.	45	1	90	6	45	45	1	0	0	0
9.	Fame.....	July 12, 1764.	40	1	80	2	40	40	2	0	1	0
10.	New Market.....	March 1, 1769.	40	1	80	3	40	40	2	2	0	0
11.	Amicable.....	August 7, 1769.	45	1	90	5	0	0	2	0	0	0
12.	Neptune.....	January 17, 1774.	50	1	100	0	50	50	0	0	0	0
13.	Son.....	September 24, 1778.	40	1	160	0	40	40	0	0	0	0
14.	Harmony.....	" 24, 1784.	40	1	80	4	40	0	2	0	1	0
15.	Endeavour.....	February 24, 1785.	40	0	80	0	0	0	0	0	0	0
16.	Reliance.....	" 24, 1786.	50	1	100	4	0	0	0	0	0	0
17.	Alarm.....	May 1, 1787.	40	0	80	0	40	40	0	0	0	0
18.	Diligence.....	July 11, 1791.	50	0	100	0	0	0	0	0	0	0
19.	Assistance.....	" 11, 1791.	44	1	88	0	0	0	0	0	0	0
			487	17	2253	61	580	410	17	2	2	2 200

The Milford Eagle of Friday last, says:—"For a few days past there has been located or encamped within a half mile of our village, on the bank of the Delaware river, two Tuscarora Indians, with their Squaws and Papposes. They arrived at this place by water, in bark canoes, in which they travelled from Buffaloe by way of the Erie canal, to the North river, and from that into the Hudson and Delaware canal, and so into the Delaware, a short distance above Carpenter's Point. They are shortly to leave this place for Pottsville, in this state. They paddle a canoe with astonishing dex-

terity, and shoot with remarkable skill with the bow and arrow.

*Great Blast.*—The Chester County Democrat says, a sand blast was made at Mr. Wilton's quarry on Friday last, by which between 2 and 300 perches of stone were loosed from the earth, and considerably shattered. This beats any blast ever made in the neighbourhood of Downingtown. We understand that nearly three kegs of powder were used for the purpose.

## A SPEECH OF WILLIAM PENN.

*Copied from the Original Minutes of the Council, in the writing of Patrick Robinson, By J. F. F.*

ATT A provincial council held at Philadelphia, die Lunæ ye 1st of ye 2d mo. April 1700.

Present Wm. Penn, Proprietor and Governor.

[The Sheriff's returns of the elections of representatives in council for the counties of Bucks, Philadelphia, Chester, Newcastle, Kent, and Sussex were presented and read, and the declaration of allegiance was subscribed, when the said members of council being declared duly qualified.] The Proprietor and Governor said:

"Friends,

Al'tho' this be a Colonie of 19 years standing, and not inferior to any of its age and establishing, yet wee have much to do to make a free Constitution, and ye Courts of Justice therein. There are in it some laws which may be accounted obsolete, others hurtfull, others imperfect, that will need improvement; and it will be requisite to make some new ones. Wee cannot go too slowly to make them, nor too fast to execute them when made, and that with diligence and discretion. A few well made and duly executed, will better answer the ends of Government than a great bulk unexecuted. You, Friends, are the people's choice and my Council: You will see what laws are fitt to be left out, and what are fitt to be made, and you with me are to prepare and propose them. I say this the rather, because of a false notion some have got, that because you are my Council, therefore, you are not the people's representatives. The ablest men have always been chosen to be of the Council to prepare Laws, and the as-sembly are to consent to them. Tho' two bodies, yet are we but one power: the one prepares, the other consents.

Friends—If in the Constitution by Charter there be any thing that jars—alter it. If you want a law for, this or that, prepare it; I advise you not to trifle with Government; I wish there were no need of any, but since crimes prevail, government is made necessary by man's degeneracie. Government is not an end but a means; he who thinks it to be an end, aims at profit—to make a trade of it—but he who thinks it to be a means, understands the true end of Government.

Friends—Away with all parties, and look on yourselves and on what is good for all, as a bodie politick; first as under the King and Crown of England, and next as under mee by Letters patent from that Crown.

At the late Election in Philadelphia, I was grieved to hear some make it a matter of religion. It is merely a humane and moral thing relating to society, trade, traffic, and public good, consisting in virtue and justice; where these are maintained, there is government indeed. Studie peace and be at unity. Provide for the good of all; and I desire to see mine no otherwise than in the publick's prosperity.

The last Assembly made two laws against piracy and forbidden trade. I heare they have not satt easie on the books of some, but I hope wee having therein been careful wee shall have thanks for making them before wee had orders so to do; and after so many calumnies and complaints wee have been loaded with, I hope those two laws will in some degree wash us clean. What concerns myself I also leave it with you to consider. I have been now nineteen years your Proprietor and Governor, and have att my charge maintained my Deputy, whereby I have much worsied myself and estate. I hope it will be no wonder to any here, to hear mee make this mention of it.

Some say I come to gett mony and be gone, but perhaps they that say so wish it so; I hope I or mine shall be with you while I or they live. The disasters of my absence have been mine as well as yours; and as I am used shall make suitable returns.

I have lately two packetts from Whitehall, an original and a duplicate; also one for my cosin Markham, and

two from Secretarie Vernon: and am commanded by the Lords Justices to make laws against piracie and unlawful trade. I am glad we have prevented their commands in doing it before they came."

Thereafter, a motion being made by a member of Council that we should begin on a good foundation, and, therefore desired that they might have a new charter. The Proprietor and Governor desired each member to speak his mind freely, which each member present did. Then the Proprietor and Governor asked "whether they thought the charter was living, dead, or asleep? Is it vacated by the act of settlement, or in what estate is it?"

A member made answer. It is clear we never looked on it to be void or dead; because at Governor Fletcher's coming, we made a salvo of it in our Assembly books, and another salvo of it in the frame of Government as to its fundamentals, but the circumstantial of it, as to time, place, number, and rotation, we could not re-assume.

Our business now is to do good, the Governor being here to confirm it: and the Governor having in the charter power to call us in what manner he pleases is but circumstance; the meeting is essential. Let us take what is fitt and good both in the Charter and frame of Government, and let us make a Constitution that may be firm and lasting to us and ours. This makes no breach in the old laws, but will confirm what is re-assumable in them, the Charter and the Frame of Government.

Then the Governor said—"the Act of Settlement served till I came, now I am come it cannot bind me against my own act, the Charter; it being my grant, and the people my witnesses by accepting of it; and tho' some violence cannot be resisted, yet when the violence is taken off, the charter revives."

Thereafter the Governor and Proprietor "resolved the whole Council into a Grand Committee, to meet at the third hour in the afternoon, to read the Charter and Frame of Government, and to adopt what is good in either, to lay aside what is inconvenient and burthensome, and to add to both what may best suit the common good of all; And if you be under any doubt or scruple, I will endeavour to solve it. And present to me what you you doe therein by to-morrow morning for my perusal."—*Memoirs of Pennsylvania Historical Society.*

## VISIT TO MAUCH CHUNK.

[Continued from p. 94.]

Crossing the river at Lehighton, a pleasant little village, about four miles below Mauch Chunk, the road pursues the west or left bank of the Lehigh. About two miles from Mauch Chunk, we came upon the lower boundary of the Company's lands, where the hills, on each side of the river, acquire a greater elevation, and have a much bolder appearance. The river is confined in a narrow bed, and the road on one side, and the canal and tow-path on the other, are cut along the base of the hills, as far from the river as the nature of the ground would admit. The irregular course of the river, and the hills mounting up several hundred feet, rendered the view up and down the river rather wild and dreary, until we approached near enough to see the neat white buildings of Mauch Chunk, which presented a beautiful contrast to the hills covered with deep verdure above, and the swift flowing and dashing current of water below. Upon entering the village, the first objects which presented to the eye, were the extensive buildings occupied by Mr. Kimball, as a hotel; and which is kept in a style not inferior to many of the fashionable hotels of our Atlantic cities. Higher up the bank of the river, are several extensive saw mills and a large grist mill, the store, boat house, rail road shool, &c. with here and there a dwelling. About the centre of these improvements, there is a break in the hill, and a considerable ravine, down which flows a stream sufficient for turning various kinds of machinery. Along this stream, wher-

ever the ground will admit of it, most of the dwelling houses and workshops of the work people are erected. Having satisfied our curiosity in examining the works at the Lehigh, which consisted of ark building, where we saw all the various operations progressing at once, from sawing of the timber to the launching of the boat; dressing and drilling stone blocks for the new rail-road by water power, wagon building, furnace, &c. we mounted our horses to proceed to the coal mines. Pursuing the turnpike up the ravine above named, we soon came to where the rail-road occupies the bed of the turnpike. (It will be recollected that for many years the coal was brought from the mines to the landing, nine miles, by common wagons on a turnpike road.) On the summit level there is a good tavern, one mile from the mines. We should suppose the quarry, as at present opened, occupies about five acres of ground. The miners, to the number of perhaps forty, live in small houses immediately adjoining the mine. The coal lays at various depths from the surface; but in many places, where it is uncovered, there does not appear to have been over six feet of earth. At some places, the quarry is thirty or forty feet deep from the top of the coal. There is alternately a layer of slate, of a few inches thick, and then a vein of coal of perhaps six or eight feet deep, and so on as far down as they have progressed. The mine is on the north side of the hill, and rails are run out a considerable distance, where the slate and earth are thrown down. The coal is put in wagons, holding upwards of two tons each, and are drawn up on the rail-road, by mules, to the summit level. Here a train of twelve or fourteen wagons are attached together, and one man takes them in charge. They are then started from the summit to the south side of the hill, and he regulates their speed down the inclined plane to the shoot at Mauch Chunk, which is eight miles distant, by the checks operating upon all the wheels upon one side, to suit the declivity of the road. Four or five of these trains travel in company, and last of all goes the mule cars, carrying down a sufficient number of mules to draw the empty wagons up. About half way down there is a turn-out place, where the ascending and descending cars pass each other. The loaded wagons pass down in about forty minutes, although if they were allowed to have their full speed, they would go in half the time. The mules are attached, four on each side, to the train of empty wagons, and walk outside of the rail-road track. It takes eight or ten mules to draw up a train of them, and they make five trips a day, up and down, equal to eighty miles travelling each. At the head of the shoot, the cars are all weighed, two at a time, which is the work of only a few seconds; they are then passed on a few feet further to the head of the shoot. Here a strong rope is attached to the loaded car, which revolves round a large cylinder, stationed at the top of the shoot, and as the loaded car runs down the shoot, the other end of the rope draws an empty car up from the bottom. When the full car comes to a particular point at the bottom, it runs against a piece of timber, and striking the bar which secures the lower part of the tail-board of the car, the upper part hanging upon hinges, the weight of the coal forces the back part of the car outward, and its contents drop down into the ark in the river below. By the time the coal is emptied out, another loaded car takes the place of the empty one at the top, and gradually descends the inclined plane to the shoot, drawing the empty one up. Upwards of 400 tons are passed down the shoot daily into the arks below. The length of the shoot is about 750 feet, overcoming an elevation of a little over 200 feet. The pleasure cars are drawn up by horses to the summit in about one hour, and have been known to pass down in less than twenty minutes. The rail-road at Mauch Chunk is made in a cheap and simple manner; but not as durable as the one making along the north side of the same hill, to a new mine which has just been opened.

The ground is graded to a proper level, trenches are

dug transversely across the road near two feet deep, and filled up with small stone. On this, timbers are laid about five feet in length. A notch is cut near the end of these timbers for the rails to rest in, which are properly secured by a small wedge. The rails are of white oak, or any other suitable timber, sawed to about four by six inches. On the inner edge of this, is a small plate of iron, perhaps one and a half inches broad, upon which the wheels run. The wheels are of cast iron, and have a shoulder on the inner side of the rim, which keeps them on the track. We found the rail-roads at Pottsville made after the same plan, and we were informed the cost does not exceed 10,000 dollars per mile.—*Bucks County Intelligencer.*

#### MEDICAL STATISTICS

OF MORAVIAN SOCIETY, ESTABLISHED AT BETHLEHEM, PA.

We are indebted for the following highly interesting statement, derived from the church records of the Moravian Society, established at Bethlehem, Penn., to our learned and valued friend, LEWIS D. DE SCHWEINITZ.

From the first of January, 1801, to the first of January, 1831, a period of thirty years, 386 deaths have occurred in this congregation, forming a population which increased during the period from 501 persons to 722 persons.

Of the above-mentioned 386 persons, none obtained the age of 100 years:—

6 died above	90 years.		
55 died between 80 and 90 yrs.,	above 80 yrs. 61		
83	70	80	70 144 under 242
68	60	70	60 212 174
38	50	60	50 250 136
18	40	50	40 268 118
14	30	40	30 282 104
19	20	30	20 301 85
9	10	20	10 310 76
76	0	10	

It appears, therefore, that the decenium of human life, in which the greatest number of deaths occurred, was between 70 and 80 years, viz. 83 deaths out of 386, while the deaths under 10 years were only 76 out of 386. A considerable majority of deaths were of persons above 60 years of age, and more than double as many over 40 than under.

In the same period 350 births took place.

Of the inhabitants of Bethlehem, alive on the first of January, 1831, there were 14 above 80 years, 48 above 70 years of age, 226 under 12 years.

In the above statement of the population, the boarding school for young ladies is not included. This has been established since the year 1785, and between 1900 and 2000 scholars have lived in it, successively, during this period of 46 years. Twelve deaths have taken place among this number, which are not included in the above statement.—*Amer. Jour. of Medical Sciences for May, 1831.*

[Communicated.]

#### LAW INTELLIGENCE.

MICHAEL P. TAGGART.

(Common Pleas of Chester county.)

On the trial of this cause, a witness was called to the stand, who avowed his disbelief in the existence of a God, and a future state of rewards and punishments.

He was objected to as *incompetent*. In support of his admissibility, a case was cited from the Massachusetts Reports, where it was decided "*that disbelief in a future state,*" was not sufficient cause to render a witness *incompetent*, and only went to his *credibility*.

The Court rejected the witness—his honour, the President Judge, remarking, that he was not before aware that there was a man living, who did not believe in the existence of a God; that this belief constituted the sanction of all testimony in a Court of Justice; and, that he knew of no case, in a Christian country, where a witness had been permitted to testify without such belief.

West Chester, August 8th, 1831.



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 8. PHILADELPHIA, AUGUST 20, 1831. NO. 190.

## INDIAN HISTORY.

[FROM THE PEMBERTON MANUSCRIPTS.]

Taken by Charles Thomson, Secretary for Teedyuscung.

[Continued from page 98.]

[On Monday, April 10th, 1758. Teedyuscung came to town with a Messenger, despatched from the General Council of the United Nations, held at Seekaughkoonta. As the Governor was gone to meet the Assembly of the three lower Counties, he had empowered the Council to meet the Indians, &c.]

*At a Conference with the Indians in the Council Chamber, Philadelphia, April 12th, 1758.*

PRESENT—Robert Strettel, Esquire, President; William Logan, Benjamin Shoemaker, Joseph Turner, Lyndford Lardner, Lawrence Growden, Benjamin Chew, Thomas Cadwalader, Esquires; several inhabitants of the city. Indians—Teedyuscung, King of the Delawares; Essoweyowahund, alias Daniel, a Messenger of the Wamam Nation; Teepischung, and one other Indian. Isaac Still, Interpreter; Mr. William Peters, Secretary for the Province; Charles Thomson, Secretary for Teedyuscung.

The President, addressing Teedyuscung, said:  
Brother Teedyuscung—

The day before yesterday, I received a letter from Timothy Hor-efield of Bethlehem, informing me you were coming down here with some other Indians, on business of importance with this Government; and having heard yesterday you were in town, as the Governor is gone to New Castle, I immediately called these gentlemen together, who are now present, and who are of his Council, to acquaint them of it. On which we desired William Logan to see if he could find you, and know on what business these Indians were come. He told us he could not meet with you, but that the Indian Messenger, Daniel, had informed him he was come from the Indian country on public business, and desired to be dispatched. I must, therefore, let you know, that as the Governor is absent, he has left us to act in his place, and we are now ready to hear what you have to say to us. [A String.]

Then Teedyuscung arising said:

Brother—I desire you, and all my Brethren present, would hear.

You may remember, Brother, when we held a Council at Easton, you desired me to hear. I did hear you, and therefore I gave a halloo. And after I had given one halloo, all the Indians heard it and turned about and saw me, Teedyuscung, and my brethren, the English, holding our Heads together in Council. Brother, now these Indians back desire us both, viz. English and Indians, to press on heartily; and they said, we will clear your Eyes that you may see clearly. There are many sorts of Wind come, and blow Dust in the Eyes. We wipe the Eyes, both of Teedyuscung and the English, that you may see our Wives and Children. We clean your Ears, that you may hear us who live back; and we have made one Messenger to do our business. Now here he is. The reason of this second Messenger's coming, is because the other staid a long time. [A String.]

Brother, and all you my Brethren, hear me—You may remember at Easton, when Governor Morris was there,

you said to me: Brother, I am able, you are weak. I would have you, though you are weak, to do all in your power; and as I told you I am strong, I will always help you in promoting this good work. Now, Brother, I have done the utmost in my power, and have helped you; and all the Indians far back have heard me. I therefore desire you, as you are strong, to press on in promoting this good work, so that we may build this Peace on a firm foundation, as it has been formerly; and let us look up to God for a Blessing, so that this Peace may always stand firm. [A String.]

Brother, and all you my Brethren, hearken to what I am going to say—I desire you, Brother, to press on in this good work we have undertaken. You know I am weak. This business is very heavy—without you help me I cannot do it. But if we both lay our hands to it, and join heartily, we can easily perform it. All the Indians round about, from Sun-rise to Sun-set, look to us, and are ready to join in the good work and help us. You see all these Nations of Indians have heard me when I gave the halloo, and have turned their Eyes; and are now ready to join hands with us, and help in the good work. [A String.]

Hear me Brother, and all you my Brothers—Brother, I tell you, you and I are about a very good work. Now Brother, all the Indians a great way off have seen us about that good work. But yet I see you look towards the Westward, and keep your Eyes to the Westward. I desire you, Brother, you would leave that piece of meat for me—you see I have it between my arms and betwixt my legs—leave it for me to eat it, and I shall take it bit by bit; and I hope I shall, in a little time, eat it all. It is not only I tell you this—all the Nations I mentioned before say the same.

Being asked what he meant by the piece of meat. Teedyuscung replied—I desire you, and the rest of the English, not to trouble yourselves to go against the Ohio, I will do it myself. They are all within my dish—leave them for me. I will give them one blow, and if any escape that, I will drive them to the Sea for you. [A Belt of seven rows.]

Brother, and all you my Brethren, hearken—I have looked above me, and then all over the World. What makes me look, is to see from whence so much mischief comes. Now I have found out where this mischief sprang from, and I will take notice of all that pretend to join us; and if I find they do not do right, I will run my hand down their throat and bring up their Heart, and lay it before you. For may be it was they that did this mischief. I don't tell you so myself, but all the Nations I mentioned before tell you the same. [A String.]

Brother—I have told you all that I intended at present to say to you. I would have you consider it; and if you find any part of it wrong, I hope, as we are Brothers, you will speak out and tell me what does not please you, that I may also consider it. And I desire you would dispatch us as soon as possible.

I hope, Brother, you will take notice of this Messenger, and I beg you would dispatch him as soon as possible, that he may return quickly. The other Messenger was detained too long.

The President said:

Brother Teedyuscung—What you have said is very agreeable to us, and gives us pleasure. The Cour

will immediately take it into consideration, and give you an answer as soon as we have considered it; and dispatch you as soon as possible.

Then Teedyuscung said:

Brother—The next time we meet, I shall talk freely about our private affairs; namely, about our building and settling at Wyoming.

*At a Conference with the Indians in the Council Chamber, Philadelphia, April 13th, 1758.*

**PRESENT**—Robert Strettel, Esquire, President; William Logan, Benj'n Shoemaker, Lynford Lardner, Thomas Cadwalader, Esquires; a number of the inhabitants of the City. Indians—Teedyuscung, King of the Delawares; Essoweyowalund, alias Daniel; Teepiscahung; Teedyuscung's two sons and nephew. Isaac Still, Interpreter; Secretaries as before.

The President, addressing Teedyuscung, said:

Brother—You desired us yesterday to consider what you then said to us, and if we thought any thing wrong, as we were Brethrens, to speak out freely and tell you so. Your advice is very good. This is the way one Brother ought to treat another. Our Hearts should be laid open to each other, that no doubts or suspicions may lurk there to disturb our friendship. We will on this, and every other occasion, act with openness and sincerity towards you and all our Brethren the Indians.

Brother—Agreeably to your advice, we now freely tell you that we do not well understand your meaning, in desiring us not to turn our Eyes to the Westward, nor trouble ourselves to go against the Ohio; but leave it for you to do, and that you will strike one blow and drive them into the Sea. We must inform you, that we shall be obliged to follow the orders of our great King in carrying on the affair, and as we are his servants, we dare not disobey his commands. Besides, Brethren, we do not desire you, who are one flesh and blood with us, to engage in any dangers in which we do not share with you. The work can be more easily and safely accomplished by both of us, than by one without the other. Our enemies are now murdering our Brethren on our borders; and while we are men we cannot sit still, with our hands tied, and let them cut our throats. We, therefore, desire you will fully explain yourself on that head, before we give you an answer to what you said to us yesterday. [A String.]

To which Teedyuscung replied:

Well Brother, I hope you will hear me, and you my Brethren take notice of what I am going to say:

Brother—You may remember at Easton I told you, I put out my Hand and took hold of you by one Hand, and that the Mohock took hold of you by the other, and that you were in the middle between us. Now I am very sorry to hear that mischief has been done back. I can neither see nor hear who has done it. I have still hold of your Hand all this time. Now I tell you, Brother, as I have taken hold of your Hand heartily, I will look and search diligently who has done it, and I will stand by you, and go with you wherever you go, and where your Bones lie there mine shall also lie—for we are Brothers—and I will always stand by you and die by you. I don't tell you this from my Lips but from my Heart, and my actions shall show it. [A Belt.]

The President taking notice that Teedyuscung had not given an answer, to that part respecting the going against the Ohio—whereupon Teedyuscung rose and said:

Brother—When I came from home, I thought we should have been able to have done that work by ourselves, but now I see so much mischief done, I do not think it prudent to undertake it myself; nor would I by any means hinder you from going, but I will heartily join with you and we will go together.

Brother—Now I have told you I will die with you, and where your Bones lie there my Bones shall lie also.

I farther tell you, as soon as I go home, this, my Messenger, shall carry the News to all the Indian Nations, that we will join with our Brethren, the English, and go with them, and where their Bones lie there ours shall lie also.

Then the President said:

Brother Teedyuscung, and our Brethren the Indians—What you have now said sufficiently explains what you said yesterday on this head, and I am much pleased with it, and thank you for so favourable an explanation, we will now immediately proceed to consider a full answer to what you said yesterday, and will let you know when we are ready, and hope it will not take up much time.

Teedyuscung being asked, whether it would be agreeable to him to receive an answer that afternoon? replied, as the business is weighty, and requires haste, I shall be ready to hear whenever you please.

— EODEM DIE, P. M.

The Conference continued.—Present the same as in the morning.

The President, addressing Teedyuscung, said:

Brother Teedyuscung, and our Brethren the other Indians, I desire you will now attend to what I am going to say to you, and consider it as if it came from the Governor's mouth.

Brother Teedyuscung, and our Brethren the other Indians—Yesterday you told me that you had, agreeably to your promise at Easton, given a Halloo, that the Indians all around us had heard you—that they had seen you and me sitting in Council together—that they approve of what we are about, and desire us both to press heartily on, in prosecuting the business we are engaged in—that they will do all they can to keep our Eyes clear, that we may see their Wives and Children; and our Ears open, that we may hear what they who live back have to say to us—that they had appointed one Messenger to do our business, and that it is our friend Daniel who is now come down—that the reason of his being sent was on account of the other Messenger staying so long.

Brother—It gives me, and the rest of my Brethren, great pleasure to hear that you had performed what you undertook at Easton, and that what passed there was agreeable to the Indians, and that they approved of our proceedings. You may assure all the Indians, nothing shall be wanting on my part to accomplish the good work begun, and hope you will continue your good resolution to give me your assistance. I look on your Wives and Children with compassion and pity, as I well know they must live very uneasy, until the great and good work we are now engaged in be fully completed. It therefore highly concerns us both to leave no stone unturned until it be so. I am sorry the Messenger was detained so long on his journey. You know he met with many difficulties in coming down, by the deep snows and bad weather, that he could scarce travel. Their sending this second Messenger, on the same account, is a proof of their good disposition; and I desire you, by this String of Wampum, to thank them for their care. [A String.]

Brother—By this String you put me in mind that you were told in Governor Morris's time, that you were weak and that I was strong; that although you were weak, yet I would have you do all that was in your power, and that as I was strong, I would always help you in promoting this good work. You told me also, that you had used your utmost endeavours to assist me, and that all the Indians back had heard you, and now desire that I would press on and build this Peace on a firm foundation as it had been formerly, and look up to God for a Blessing that the Peace may stand forever.

Brother—I remember well what was told you by Governor Morris, respecting my ability and the promises that were made you, of doing all that was in my power towards promoting this good work, and I now assure you I continue in the same resolution and am determined

to assist you to the utmost of my abilities, and shall always depend upon the assistance of my Brethren, the Indians, in joining me in fixing the foundation of this Peace, we are now so happily engaged in, on so secure a Rock that it will last as long as the Sun continues to give its Lights and in order to do this more effectually, as you have told me that you are poor, I shall take an opportunity seriously to consider in what particular I can be of most service to you. [A String.]

Brother—You repeat your desire that I would press on this good work; and inform me that you are weak, that the work is heavy, and that unless I help you, you cannot lift it. You tell me I can do it, and that if you join me in it, it can easily be done—that all the Indians, from the Sun-rise to the Sun-set, have heard your Halloo, and have their Eyes upon us, and are ready to join us to lift it up.

Brother—I am very sensible the good work we are engaged in is a very weighty one, and of the greatest importance to you and us, and that it requires us to join our utmost strength to carry it on and accomplish it in the happy manner we both desire. It gives me great satisfaction to hear you say, the most distant Indians are ready and willing to join us in it. This account gives me fresh encouragement to continue my resolutions of acting to the utmost of my abilities, and you may be assured I shall do every thing in my power to bring this good work to a happy issue. I desire you will join me in Prayers to the Almighty God, to give a Blessing to our endeavours. Let us in all our proceedings have our Eyes fixed upon Him. Let us act honestly and sincerely with each other, that we may have some ground to hope for His assistance, for without it all we can do will be vain. [A String.]

Brother—By this Belt you told me yesterday, that the work we are engaged in is good—that all the Indians afar off have seen us about it, but that you yet perceive we keep our Eyes looking to the Westward on the expedition formed against the Ohio, and desired not to trouble ourselves about that affair, but to leave it to you and that you would do it for us—that you had it in your power to do it, and that you would give them one Blow, and that whoever shall escape you would drive them into the Sea. And by this Belt, you told me to-day, that when you came from home, you thought you should be able to have performed what you yesterday proposed, but that you have since you came to town heard there were enemies doing us mischief at this time on our frontiers, and that you judged it not prudent for you to undertake it yourself, but that you would join the English heartily in it, and would die with us in the undertaking, and wherever our Bones lay yours should also lie with them. And that you would immediately send word back by Daniel, to let all the Indians know this was your resolution.

Brother—I acknowledge the work we are engaged in to be good, and am pleased the distant Indians have seen us consulting on it and are pleased with it. What you have observed of our turning our Eyes to the Westward, and that we are concerned to prosecute the expedition is true. We look on the generous offer you made yesterday, of doing that business for us, as a great mark of your sincere dispositions to his Majesty, and your hearty attachment to the English Nation. We know it is a great undertaking, and think you have acted very prudently in reconsidering that matter, and now heartily thank you for your kind offer to assist us in it. Our great enemy, the French, have for a long time been making encroachments on these lands, and are determined to keep possession of them if they can. And as our great and wise King has found that they will not hearken to any thing he said to them on this head, he has now at a very great expense sent over to this country a great number of officers and soldiers to drive them off. When they will set about it is uncertain, but as you have been so kind as to offer to join us in such an expedition, when the commanding officer is ready to un-

dertake it, we will acquaint him of your good intentions, and he will send notice to you. It will therefore be absolutely necessary, you immediately send word to all the Indians who have now joined with us, and make them fully acquainted with the engagements you have entered into on their accounts, and that you and we expect they will fulfil them. [A Belt.]

Brother—You tell me you have looked above and all over the World, to find out from whence the mischief that has been amongst us arose, that you have now found it out, and shall take notice of all such as have pretended to be our friends—that if you find any of them deceitful, you will run your hand down their throats and pull their hearts out, and lay them before us; and that in this all the Indian Nations, who have joined you and us, have agreed.

Brother—I am glad you have taken so much pains to find out the Cause of this mischief, and that you are determined still to search it out to the bottom, and see if any such who pretend to be our friends have any hand in it. This is a very prudent resolution, and I desire you would pursue it; for if there be any among you who carry two Faces and act deceitfully, they are much more dangerous to both of us than our open enemies, and if not found out will ever be throwing Logs in the great Road, that has now been opened between us, towards perfecting this great and good work of Peace. I assure you I shall use the same care on my part, to find out such enemies among us if there be any.

Brother—I have now answered every part of what you have said to me yesterday. I do not observe you said any thing that was wrong—if I had I should have endeavoured to set you right, as Brethren ought to do with one another. I am sensible of the necessity of dispatching this Messenger—I shall do every thing I can to forward it. And I now desire, if you find I have omitted giving you a full answer on every head, that you would, like a Brother, open your mind freely to me and tell me so, for you must be sensible that the greater freedom we use with one another, on affairs of such importance as the great work we are at present engaged in, the greater probability there is of finishing it, speedily and to the satisfaction of both of us. [A String.]

Teedyuscung making no answer, the President proceeded and said:

Brother—As I have now answered what you said to me yesterday, if you have nothing further to say to me on this head, I have some other business to lay before you.

To which Teedyuscung replied: I have nothing to object to what you have said. It is a full answer to what I said yesterday; and all quite agreeable.

Then the President, resuming his discourse, said:

Brother Teedyuscung—I am sorry to inform you that I hear there are now some Indians on our frontiers, and in Lancaster county, on Swatawro creek, murdering our people and carrying off some scattering families. This, Brother, will I am afraid be attended with very ill consequences, unless we can find out who they are. It highly concerns you to join me in endeavouring to know of what Nation these people are, and to bring some of them in, that I may be able to know who sent them there. These may perhaps be some of the people who have pretended to be our friends; but whether they be or not, we must find them out; and as you have now taken hold of our Peace Belt, and have engaged for the Indians on the Susquehanna, that they will not suffer any enemy Indians to hurt me. I desire that you will immediately go to Bethlehem yourself, where I understand you have some young men, and send a party of them out to scour our frontiers, and take some of them prisoners. Or, if you are not able to take them, that you will endeavour to bring back our people they have carried off; and I will immediately give orders for a party of our soldiers there to join you. This conduct will convince me and my people, that you are in earnest in



this great and good work we are now engaged in. [A Belt.]

Brother—The accounts you have mentioned to me, from time to time, of the several Tribes of Indians joining us in the good work we are engaged in, has given me great pleasure. You told me, by your last Messenger, that you were now become eighteen Tribes or Nations, and are now grown very strong. I desire you will acquaint such of these Tribes who have joined you, that I with great pleasure take them by the Hand, and that I shall be very glad to see some of the Chiefs of each Nation in this City, that I may see and hear them and take them in my Arms. They will then have an opportunity of confirming by their own Mouth what you have said to me, which will afford me great satisfaction. I desire you will make them acquainted with the engagements you entered into with me at Easton, in their behalf, of returning all our Prisoners they had in the Indian Country. And as our people are strangers to the woods, and will not be able to find the roads to the inhabitants, this will be a very good opportunity of having them conducted safely; and I shall depend on their bringing with them all our people they can collect. [A Belt.]

Teedyuscung, having received the Belt, arose and said:

Brother—Hearken, I shall only speak a few words, and all you present take notice.

Brother—Since I have taken hold of the Covenant Chain, as I consider myself as one with you, I can do no other than as you have said. Were my Wife and Children among you, I should be very uneasy and want to see them; I will therefore use my utmost endeavours to collect as many of your people, that are Prisoners in the Indian Country, as I can, and will bring them down to you.

Brother—Now I think we have really finished our agreements, and we are one. But though we are one, I will not give myself up entirely to you. I will not enlist under your Captains or Officers, but I will have Captains of my own. Here, my Son is one of my Captains. We will join with you, but we will have Captains of our own. And as you know I am but weak and poor, I hope you will pay my people who shall go out along with you.

It being late, the Conference ended, and as Teedyuscung was in haste to dispatch the Messenger, and send out some of his young men to scour the frontiers, he set out next morning for Bethlehem, without saying any thing of his private affairs and settlement at Wyoming, as he intended.

—  
*Extract of Letter, dated Tuesday, April 18, 1758.*

Teedyuscung dispatched his son, John Jacob, as captain, and four more Indians, viz. his son Amos, Paul and his brother John, also Isaac, all Delawares, to the three Indian Nations over Lehacy, viz. Delawares, Shawanese, and Quahanagesie, of which last Castaruga is Chief.

1. Delivered four Stings to acquaint said Nations, that he had twice received good News from them; and lately heard they inclined to be at Peace with the English, but now he hears of fresh murders being committed, which two contraries he cannot reconcile or see through, and therefore desires to know the reason.

2. A large black Belt with five strokes across, made of white Wampum, at which Teedyuscung said:

Hark, Men of Allegheny—You send me Word you had laid hold of the two ends of the Peace Belt, and I and the English should lay hold of the middle, which we have done; and held and do hold it still fast. Therefore I must desire all your Captains to sit quiet at home, and not partake of these evils, or murder English any more. For indeed, we are many Indians that live here amongst them. By such doings you may hurt the Chain of Peace.

3. A white Belt with black strokes across, set with black Wampum, at which he said:

My Friends and Brethren, Shawanese and Delawares—You live near the others; and if any of you live too high the French, move a little further from them; and take each other by the Hand; and let all your Chiefs come, and I will take them by the Hand, and go with them to the Governor, where they shall hear Words with their own Ears for themselves.

4. A white Belt set with black Wampum across, and said:

Hereby I require and charge all the Indians here and there, not to acquaint the French anything of transactions here; but to stop their Ears and Eyes, that they may neither hear nor see what passes amongst us.

From the United States Gazette.

## THOUGHTS ON EMIGRATION

FROM EUROPE TO THE UNITED STATES.

No. VIII.

In enumerating some of the advantages, which Pennsylvania offers to the emigrant, I have no doubt omitted many equally important. Nature had been so bountiful and kind, in distributing her favours, as to render it impossible to recount them all. The rivers, the forests, the soil, and the very bosom of the earth, are full of blessings! A countryman may go into the woods, at any time, without the fear of *game laws*, or the dread of *man traps*, and with a fowling piece, or rifle, in his hand, procure for himself, in an hour or two, a fine buck, a wild turkey, a brace of pheasants, or a bag full of partridges, wood cock, rabbits, or squirrels, with no other expense than a few loads of powder and shot.

The rivers and smaller streams are plentifully supplied with fish: shad, rock, bass, pike, perch, or trout, may be had in their proper seasons, in every county in the state; and, in many places, the sugar maple is so abundant, as to afford an adequate supply of sugar to the neighbouring population. But, I forbear, it would be as tedious as it is unnecessary, to attempt a further description of the many blessings allotted to this highly favoured portion of the globe.

The want of the means of subsistence, is the most obvious cause of emigration. When a man, surrounded by a family of children, cannot by the sweat of his brow procure them a sufficiency of wholesome food, his situation is truly deplorable. Can he suffer them to linger on a bed of sickness, deprived of the necessities of life, and unable to afford them the requisite relief, without casting in his mind, the thought of emigration to a country, where he may be able to supply his wants, without hazarding a recurrence of similar distress? It is a natural resource—Self-preservation, is the first principle of human nature, and the protection of our own offspring, the dearest tie of man. This country has been, and will long continue to be, the asylum of the unfortunate, and a safe refuge for the afflicted, and distressed emigrant who may be compelled to leave his native land. The want of the essential means of subsistence, the ravages of war, and the arm of despotism, drive many from the land of their nativity, and compel them to explore the world, for a more desirable abode. They fly to us for relief, we receive them with open arms; they settle upon our lands, or in our towns, and as long as they conduct themselves with propriety, we associate with them as brethren of the same family, and extend to them the hand of friendship. It is not the love of novelty, or change, which prompts them to wander into foreign countries; but the pressure of an overcrowded population, and the cravings of nature, or the natural desire to take care of themselves and their offspring. Could I but light them in their path, it would be a source of high gratification, and doubly compensate me for the time occupied, and the labour bestowed, in this humble attempt, to render them assistance;



and now, in the language of one whose pen was eloquently employed to defend the system of internal improvement, in an adjoining state, a dozen years ago, I shall close this number without intending to pursue the subject any further.

"If the diffusion of temperate liberty, and the melioration of the human race, be objects worthy of ambition, what spectacle can be exhibited to the gaze of nations, so august and imposing, as that of a nation of freemen, whose empire enfolds almost every climate that can cherish the frame, and whose soil is prolific in almost every fruit that can delight the taste of man; wielding its combined energies, not to aggrandize its power, by devastation and carnage, but to enhance the measure of human enjoyment, by making two blades of grass grow where only one grew before, to elaborate not the chains which manacle the spirit, and bind down the heart of man, in ignorance and misery; but those bonds which his heart owns, and his understanding ratifies, as most congenial to his dearest interests, and most conducive to the perpetuation of his noblest rights." CIVIS.

### PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, Aug. 11.

**SELECT COUNCIL.**—MR. WORRELL presented a petition for repaving Spruce street, between Thirtieth and Broad streets, which was referred to the Paving Committee.

The following communication from the Commissioners of Moyamensing, was received and referred to the same Committee.

To the Select and Common Councils of the City of Philadelphia.

The undersigned, representing the inhabitants of the township of Moyamensing, as Commissioners of said township, respectfully state

That agreeably to a plan and survey, made and executed by the late Reading Howel and adopted by Councils—the intersection of Cedar and Thirtieth streets has been made the lowest point, to which a great body of water is drawn, from the east as far as Delaware Eighth street, from the north so far as Spruce street, and from the west so far as Schuylkill Eighth street, all emptying into said township, at the intersection of Cedar and Thirtieth streets.

That the City Councils some years back having considered it expedient to reconsider the regulation of ascents and descents in the vicinity of Cedar and Thirtieth streets, have agreeably to a plan and survey by Samuel Haines, City Surveyor, adopted and confirmed a survey made by him, by which the said intersection is lowered, or put down about two feet lower than that of Reading Howel.

The great body of water now discharging itself into this point will, (as improvements take place) be gradually increased and the undersigned are of opinion that a much greater quantity has been directed into it than the natural fall of the city plot originally intended.

The depression of two feet at that point by the last regulation has rendered it in the opinion of the undersigned, impossible for them to construct a culvert to carry off the city water, and should it be found practicable, they believe that as the city authorities have thrown more water at that point into their district than was originally intended, and being fully of the opinion that the representatives of the great city of Philadelphia have not been, and are not at this time actuated by motives of accommodating their constituents at the expense of their NEAR (but less fortunate) neighbors, is that they will take the representation above set forth into consideration, and join the undersigned in bearing a proportionable part of the expense in carrying off the water poured into said township, by the act of the city authorities.

The undersigned will feel a pleasure in waiting on a

committee of Councils to confer with them on this subject.

JAMES RONALDSON,  
JAMES MAXWELL,  
WILLIAM MOORE,

Committee of the Commissioners of Moyamensing.

MR. DUANE as Chairman of the Watering Committee, made the annexed report and resolution, which were agreed to.

The Watering Committee to whom was referred the resolution of Councils, of the 23d of June last, directing the committee "to inquire into the expediency of making preparation for laying iron pipes in the southern section of the city, namely south of Spruce to Cedar street," respectfully report—that it is expedient to make the preparation contemplated by the resolution referred to them; that iron pipes ought to be laid in Cedar street from Eighth to Eleventh street—in Eleventh street from Spruce street to Cedar street—in Tenth street from Spruce to Cedar street—and in Lombard street from Eighth street to Eleventh street. The Committee estimate, that the cost of the necessary pipes, for the work thus contemplated, will be \$12,749 80—namely:

1338 feet of 16 inch main in Cedar street,	
from Eighth street to Eleventh st. at \$5	6,690 00
1202 feet of 10 inch main in Eleventh st.,	
from Spruce street to Cedar street, at \$2 40	2284 80
1202 feet of 6 inch Pipe in Tenth, from	
Spruce to Cedar st.—1338 feet of 6 inch	
pipe in Lombard, from Eighth to Eleventh	
street, at \$125	3175 00
	12,749 80

The Committee therefore offer the following resolution:

Resolved, That the Watering Committee be and they are hereby authorised to contract for 1338 feet of 16 inch main, or 1202 feet of 10 inch main, and for 2540 feet of 6 inch pipes, for the work described in the foregoing report.

MR. DUANE offered the following resolution which was agreed to—and the following gentlemen were appointed the committee,—Messrs. Duane, Cuthbert, Hood and Ryan.

Resolved, That a committee be appointed to co-operate, at the expense of the city, with the wardens of the port of Philadelphia, in causing to be raised a ship, loaded with stone, which was, on the first day of the present month sunk in the river Delaware north of South street wharf—and that the Mayor of the city be and he is hereby authorised to draw his warrant on the city treasury for the expenses incurred in carrying the said object into effect.

MR. DUANE offered the annexed resolution, which was also agreed to.

Resolved, That, for the purpose of finishing the new wall erected on the bank of the Schuylkill near the Fair Mount Water Works, the Watering Committee be and they are hereby authorised to remove and use so much of the coping stone of the old reservoir, at the western end of Chesnut street on Schuylkill, as may be necessary.

MR. LIPSCOTT moved to take up for consideration the resolution attached to the report of the committee on Will's Legacy, which was passed by the Select Council, but was unanimously rejected by the Common Council.

**COMMON COUNCIL.**—MR. JOHNSON was called to the chair as the President was absent.

MR. BAKER presented the following petition from sundry victuallers, which was referred to the committee on markets

To the Honorable the Common Council of the city of Philadelphia.

Gentlemen, We have again (though so frequently and unsuccessfully) availed ourselves of the privilege of petitioning your honourable body. We conceive it the

only means, by which we can so fully and satisfactorily explain our peculiar and grievous circumstances—and the only alternative left us, to solicit that redress so long and so assiduously sought—We regret exceedingly that all our former petitions and memorials have been so “phrased” as to induce you to believe, that our efforts and exertions were directed towards and against the “Farmer” exclusively. It may not be deviating from a correct and just course to inform your honourable body, that in consequence of having adduced some of these “Shinners” (whom we know should have been embraced within the power and meaning of the law) before the proper authorities; to adjudicate in such cases—and finding the said law not sufficiently ample to inflict such penalties as it has decreed—and moreover discovering from experience and practical knowledge that we could not possibly avail ourselves of the bearing and meaning of the law as aforesaid. We thought it both practicable and expedient to include the “Farmer” with the “Shinner” in order that your body might draw a more palpable line of distinction—or require something more of these “Shinners” whereby the penalties of the law, incurred by its violation, might be visited upon them—thus far, failing in our applications to you—we now solicit the passage of a law more severe in its bearing upon these individuals—and who, when brought to condign punishment—may receive the infliction of such penalty as is justly due to his offence, or mal-practice. That there are such men as are styled “Shinners” none will doubt—that they daily violate the law with impunity all must grant—that they deserve punishment—must be just—and these are all the privileges that we ask, or solicit from your honourable body—and we sincerely hope that you will pass a law, exacting from these individuals for the first offence 50 dollars, and for the second 100 dollars fine—and also that the informant may or shall be entitled to one-half the forfeiture or pecuniary sacrifice. The practice of these men, is not alone, injurious to the revenue arising from the rents of stalls—but is destructive of the beauty and character of the market—in enforcing many young Victuallers, from straitened circumstances, to leave their stalls in the shambles untenanted—and resort to such places—and among such persons, where and whereby they can dispose of their meats at a greater advantage, and at a far less expense. Your honourable bodies must be aware that the stalls are yearly becoming less occupied—and vacant stalls are becoming more numerous—and the evil as it must be, if a remedy be not speedily applied—will and must increase. All that we ask from you is, the protection of us, in the legal pursuit of our profession—and the passage of a law which cannot fail to convict such men, as are daily violating her sacred decrees—and who cannot be deterred from the commission of such illegal acts—or otherwise enact such a law as will grant us the same privileges that these “Shinners” now realize and enjoy, and from which we are, and have been totally excluded and prohibited from participating. And should you grant, your petitioners will ever pray, &c.

A communication was received from the Robert Morris Hose Company, which was referred to the committee on Hose and Engine Companies.

To the Select and Common Councils of the city of Philadelphia.

The memorial of the subscribers respectfully represent that being sensible of the necessity of establishing a Hose Company in the south-western section of the city, a number of citizens, have associated together, and have formed a Company under the name of Robert Morris Hose Company. They admit none as members, who have not arrived at the age of twenty-one years, and whose character for sobriety and integrity will not bear the strictest scrutiny.

They have obtained from the Managers of the Pennsylvania Hospital, the privilege of erecting a suitable building on the north-west corner of Lombard and

Ninth streets, and have erected a building sufficiently large to contain their Hose and Carriage, with a commodious room to transact their business, the cost of which, together with the Hose and Carriage have amounted to upwards of twelve hundred dollars, they now appeal with confidence to their fellow citizens in councils, hoping councils will place them on the same footing with similar Companies, and afford them such aid as in the opinion of Councils they are entitled to—for which they will ever pray, &c. July 27, 1831.

Signed on behalf of the Company,

JAMES GLASGOW, President.

CHARLES JOHNSON, Jr. Secretary.

A communication from Mr. William James, was received relative to an alteration of the street, at the corner of Beach and Spruce streets, which was referred to the paving committee.

The following communication from Mr. Moses Isaacs, was received and was referred to the committee on the public wharves on Schuylkill.

To the Councils of the City of Philadelphia.

The petition of Moses Isaacs, respectfully represents that he is desirous to obtain a lease from the Corporation, of their lot of ground, situate between Market and Filbert streets, on the river Schuylkill, and at the same time to have permission to make an opening into the adjoining public culvert to enable him to carry off the waste water.

He has been informed that to such an arrangement the sanction of the Councils is necessary.

His object is to establish a manufactory which will prove highly advantageous to the public, and he will explain his plans to any persons who may be designated to examine into their utility and practicability.

He therefore prays that an authority may be given to the proper persons to grant a lease of the premises to your petitioner if it shall be found expedient to do so.

MOSES ISAACS.

Mr. Johnson as chairman of the committee relative to the purchase of a lot at the corner of Schuylkill Front and Chesnut streets, offered the following resolution which was agreed to.

Resolved, By the Select and Common Councils, that on the receipt of the deed for the lot on the north side of Chesnut street, from Schuylkill Front to Second st., purchased from the Commissioners for building a penitentiary, the Mayor be and he is hereby authorized to draw his warrant on the city treasurer for the amount of the purchase money, deducting therefrom the amount of taxes due to the corporation of Philadelphia on the said lot, and the expenses of paving and curbing the footway fronting the same.

Mr. BAKER as Chairman of the Committee on Markets stated for the information of Councils that the Committee was equally divided on the subject of erecting a new market house in Market street between 11th and 13th streets and requested that the Committee be discharged from the further consideration of the subject, which was agreed to.—*Philad. Gaz.*

**Another Large Pike.**—A Pike, measuring 26 inches in length 11 3/4 in circumference, and weighing four lbs. was yesterday caught from the Lehigh canal, immediately above the Black Rock, by a lad of Lehigh, only 12 years of age; when cleaning the same, a Cat-fish was found in its bowels seven inches long. F.

July 19, 1831.

*Mauch Chunk Courier.*

The Lebanon “*Beobachter*,” of yesterday, states that, last week, a snake, of the copperhead species, was killed on the plantation of Christian Strack, Esq. about two feet in length having a head at either end of its body, which enabled it to advance or recede, *ad libitum*.

## REVOLUTIONARY.—1768.

On Saturday last (August 1st), agreeable to the following notice, published in the papers, a very great number of the most respectable inhabitants of this city, and many from the country, attended at the State-House, when an address was read to them, after which instructions to the Representatives being read, and approved, they immediately proceeded to sign them.

"The Freemen of the City and County of Philadelphia, are desired to attend at the State-house on Saturday next, at two o'clock in the afternoon, to consider of proper instructions to be given to our REPRESENTATIVES, in the present alarming and critical situation of these Colonies.

"Those who should give up *essential liberty*, to purchase a little *temporary safety*, *DESERVES* neither *liberty* nor *safety*."

The Address is as follows:

At a time when the iron rod of power is stretched over us, when not only claims are set up, but acts asserted destructive of our liberty, and when ruin is threatened us, if we dare even to complain, not to be alarmed, argues insensibility, or something worse.

Already we find our trade restricted, our rights invaded, and a plan laid, the execution of which must inevitably deprive us of even the shadow of liberty, and reduce us to a state of abject slavery.

Hitherto we have been taught to believe, that our removal or distance from the royal presence, did not deprive us of the rights and privileges of freemen and British subjects; that the laws made by our legislatures, and approved by the crown, should remain inviolate, until repealed by the same power that enacted them; that our houses were our castles and our sanctuary; and that the property we acquired was so much our own, that no power on earth could, of right, deprive us of it, without our consent, and consequently that no money could be levied from us, but by our chosen representatives. But, alas! experience begins to convince us, that all this is illusion, and that the hopes formed in consequence thereof are groundless and vain. New maxims of government, with regard to America, are adopted; the rights of freemen, which we claimed, are, it seems, confined to the inhabitants of Britain. Representation, we are told, is only *virtual*, that is *imaginary*; the power of parliament is not only supreme, but illimitable; and the commons of Great Britain have a right, by their representatives, to give and grant, and at their pleasure dispose of, the money and property of all the subjects of the crown of Great Britain, how distant soever, and notwithstanding many of them, in distinct provinces, have parliaments or assemblies of their own, who, with the king, have a right and power of legislation for themselves.

We have already seen the acts of our legislatures, after passing through all the necessary forms, and obtaining the royal assent, overruled and rescinded by the British parliament, for no other purpose than to augment the fees of a petty custom-house officer.\* Regiments of soldiers, which a minister modestly proposed to thrust into our houses, are by the almighty power of parliament quartered in our towns, not to protect, but

\* See act for more effectually securing and encouraging the trade of his Majesty's American dominions, &c. passed by the last parliament, A. D. 1765, "and in order to prevent any dispute concerning what fees the officers of his Majesty's customs in the British colonies or plantations in America may be entitled to, be it enacted by the authority aforesaid—that it shall be lawful for the comptroller of his Majesty's customs to demand and receive for his fees, a sum equal to one-third part of the fees received by the collector for the like business, *any law, by-law, or act of assembly* made in the said plantations to the contrary notwithstanding.

to overawe us into servile obedience; for these we are, by the same power, commanded to provide quarters, firing, bedding, candles, rum, &c. To refuse compliance is termed rebellion, and to be punished with political death. Thus because the assembly of New York hesitated to grant every thing ordered, they were by another act of parliament deprived of their legislative authority. What was this but to say, "Obey implicitly" and enforce "the laws made by the parliament of Britain to raise money on you without your consent, or" you shall die, and "your constituents shall enjoy no rights or privileges at all."

By these acts our assemblies are reduced from being the representatives of a free people, to be the abject tools of ministerial power; instead of exercising their own judgments and consulting the happiness and prosperity of their constituents, they are under a necessity, on pain of being deprived of their legislative authority, of enforcing the mandates of a British parliament.

Yet, humiliating as this was, it was judged proper to reduce the Americans to a still lower degree of slavery. The form of liberty was too much to leave them. Even in France the edicts of their monarch have no effect, until they are registered by the parliaments of the respective provinces, but this was too much for America to enjoy. While we were taxed at a certain sum, and the mode of raising it left to ourselves, the assemblies or parliaments of the respective provinces were absolutely necessary. While these remained, it was reasonable to think, that as long as they retained an idea of liberty, they would express their resentment and complaints of being deprived of it; & as long as the people retained a sense of suffering, they would look to their representatives, if any they had, for relief and redress. Thus a claim of rights might be kept up, and the ministry fatigued with remonstrances and petitions.

For this reason it was decreed to levy money upon us, without the intervention of provincial assemblies, and thereby prepare the way for laying them wholly aside. The parliament was supreme, and therefore had the power. The ease, convenience, or circumstances, of the people to be taxed, were too trifling to demand their attention. The only thing to be considered, was, that the acts imposing the tax, should be such as would execute themselves.

The first experiment was made with a *stamp act*, which was contrived with such art and cunning, that nothing but the virtue, union, and resolution of a brave and free people, who were resolved to hazard all, rather than part with liberty, could have prevented its execution. The people determined to use none of the stamps, the courts of justice were consequently shut, business was at a stand, trade languished, the orders for goods from England were countermanded, whereby thousands of her manufacturers were reduced to beggary, and confusion thrown on all hands. For this reason the ministry found it necessary to change their measures. The stamp act was repealed, not because it was unjust and unconstitutional, but because it was dangerous to carry it into execution.

But that the repeal of the stamp act might not invalidate the claim set up, an act was immediately passed, declaring, that the parliament had a right to bind the colonies by their laws "in all cases whatever." In consequence of this, another act was made for the express purpose of raising a revenue, or of levying money from America without our consent. And as the plan of reducing the Americans was now better digested, it was resolved to lay the axe to the root of liberty, and not only strip the people of their property, but deprive them of all share in the support of government, administration of justice, and defence of their country. That the laws which the British parliament have made, and shall hereafter make, may be effectually carried into execution, men of war are stationed upon our coasts and in our harbours, a board of customs is established for America, and a set of commissioners, with whole bands of tide



waiters, searchers, inspectors, &c. with large salaries, are sent over to collect the duties. This apparatus evidently proves that this is only the beginning of the taxes and imposts which the parliament intends to levy on America. And what renders this mode of taxation and these impositions still more grievous and insupportable, is the purpose for which they are intended. The monies arising from these taxes, duties, and imposts, levied from us without our consent, the ministry are empowered to apply, (as they are by the act expressly mentioned to be intended) for the payment of the salaries of governors, judges, and other officers appointed by the crown, and removeable at its pleasure; and for protecting, securing and defending his Majesty's dominions in America. Thus are the people of the colonies degraded from the rank of freemen, and reduced to the level of slaves. They have nothing now they can call their own. Their money is taken from them without their consent. The produce of their toil is at the disposal of others, to whom they never entrusted the power, and over whom they have no control. Justice is administered, government is exercised, and a standing army maintained at the expense of the people, and yet without the least dependence on them. Nay, the money, which we have earned with sweat, and toil, and labour, being taken from us without our consent, the minister has begun to give away in pensions to those venal slaves, who have shown a readiness to assist in riveting the chains upon their brethren and children.

The enlargement of the powers of the admiralty court, which they have been so careful by sundry acts of parliament to correct limit and restrain in England, might be adduced to prove that, in the opinion of the ministry, the Americans are not entitled to the same privileges with the freemen of Britain.\*

But what evinces the abjectness of our state above every thing else, is the late ministerial mandate, by which it seems we must bow our neck to the yoke, without uttering one groan, though our hearts are bursting with indignation, and our souls are goaded with the most tormenting reflections upon recollecting what we once were. Our complaints and humble supplications are considered as "factious and of a dangerous tendency." Our calling upon each other to unite in dutiful petitions, that we may be allowed the privileges of freemen, is deemed a "flagitious attempt to disturb the public peace." And our assemblies (which indeed by the late acts of parliament are rendered in a manner

useless) are threatened with dissolution, if they do not "resent this attempt," or if they dare to unite in the measure.

It is not enough that we are attached to our king by principle and by affection, in this we yield to no inhabitants of Britain. "America is yet untainted with rebellion and plots, notwithstanding we have been reviled as traitors and rebels, in the British senate. Our loyalty to our king, and attachment to his person and government, is firm and unshaken. But a new kind of loyalty is required of us; a loyalty to a British parliament; a loyalty that is to extend to a surrender of all our property, when a British house of commons, in which there is not a single member of our choosing, shall think fit to give and grant it without our consent," and to a surrender of life, liberty, and that portion of wealth, which the British commons shall please to leave in our hands, whenever the arbitrary courts set over us, shall adjudge us to have forfeited them. No wonder then if a new kind of loyalty is enforced, by a new kind of penalty, or of being reduced to the rank of slaves, the first opportunity is taken to strip us of the powers of legislation, the honourable badge of freemen.

It is needless to anticipate your reflections by an enumeration of the calamities that must ensue from the execution of such a plan as is now laid open; every man's reason will easily point out to what an abject state of slavery we must be reduced, and what a weight of ministerial power we must feel, when our property is taken from us without our consent, and we are to be bound by laws made without our concurrence, and which do not in any wise affect those who make them; when armies have seized our towns, fleets of men of war have blocked up our harbours, swarms of custom-house officers have ruined our trade, by enforcing the edicts of our masters; when arbitrary courts, with supple judges, wholly dependant on the ministers, are set over us; when the grossest misrepresentations of placemen, pensioners, and ministerial tools are encouraged, and listened to with attention, while the cries and petitions of the people oppressed, are discountenanced, suppressed, and not suffered to reach the royal ear; and in fine, when our assemblies, the best bulwark of our liberty, and the only defence we have against the oppressions of the officers of the crown, are taken away and abolished.

The house of representatives of the Massachusetts's Bay, who nobly stemmed the torrent, have felt the weight of ministerial power, and have suffered dissolution for boldly defending our rights. Maryland is threatened with the same; in the mean time the minister has undertaken that the government shall be supported without them. Virginia, Maryland, the Carolinas and Georgia, together with the eastern governments are awakened, and exerting themselves in defence of their rights.

While all around are thus struggling for liberty, and ready to sacrifice every thing for the common cause; let us also rouse and join in the glorious effort to maintain those rights, which the God of nature has bestowed upon us, and to which we are entitled as freemen, and British subjects. Let us ever remember that it is the right of subjects, when they find themselves aggrieved, to petition the king, and that "all commitments and prosecutions for such petitioning are illegal," and that all threats and acts to prevent it are arbitrary and tyrannical. Let us, therefore, while yet we have representatives, apply to them and instruct them to unite with our brethren in the other colonies in the common cause, and by dutiful petitions to our sovereign, and every other constitutional measure, which they think proper, endeavour to obtain a repeal of those acts of parliament, which we cannot but deem injurious to our rights, and destructive of our liberty.

To conclude, in the words of our patriotic Farmer, to whom we and every American are so much indebted for his timely and spirited defence of our rights and

\* By two statutes of Henry the 8th, (viz. 27 H. 8th, ch. 4th and 28th, H. 8th, ch. 15th,) a commission of oyer and terminer, is ordered to issue out of chancery, directed to the judges of the Admiralty, and others, to inquire of and punish marine felons, according to the course of the common law, that is, by a jury; and by a modern statute, (viz. 2 Geo. 2, ch. 21) if any one be feloniously stricken, or poisoned upon the sea, and die at sea, or beyond sea, the fact is made triable in any county, according to the course of the common law; but by sundry acts, (viz. 11th and 12th, Wil. 3, ch. 7—6 Geo. 1, ch. 19—8 Geo. 1, ch. 24,) sea felons are to be tried in the colonies before a bench of judges, appointed under the great seal, or seal of the admiralty, according to the course of the admiralty that is, without a jury; and the charters of the provinces are set aside as far as they interfere with this court; nay the execution of the laws of trade are referred to it; and even the penalties imposed on such persons, as destroy his Majesty's pine trees in America, are recoverable in the admiralty, (see stat. 7 and 8 Wil. 3, ch. 22; 5 Geo. 2, ch. 24; 6 Geo. 2, ch. 13; 8 Geo. 1, ch. 12; 2 Geo. 2, ch. 35,) and by a most extraordinary statute passed the last session of parliament, for erecting three admiralty courts on this continent, each to have jurisdiction over two or more provinces, the constitutional superintendency of the common law, over the civil, is evaded, there being no court of king's bench, in America, of equally extended jurisdiction.



liberties, let us remember that "our vigilance, and our union are success and safety, our negligence and division are distress and death; they are worse—they are shame and slavery. Let us equally shun the benumbing stillness of overweening sloth, and the feverish activity of that ill-informed zeal, which busies itself in maintaining little, mean, and narrow opinions. Let us with a truly wise generosity and charity banish and discourage all illiberal distinctions, which may arise from differences in situation and modes of religion. Let us consider ourselves as men, freemen, christian freemen, firmly bound together by the same rights, interests and dangers. Let us keep our attention inflexibly fixed on the great object, we must constantly regard, in order to preserve those rights, promote those interests, and to avert those dangers."

"Let these truths be indelibly impressed on our minds, that we cannot be happy without being free; that we cannot be free, without being secure in our property; that we cannot be secure in our property, if, without our consent, others may, as by right, take it away; that duties laid for the sole purpose of raising money are taxes; that attempts to lay such duties should be instantly and firmly opposed: that this opposition can never be effectual, unless it is the united efforts of these provinces; that therefore benevolence of temper towards each other, and unanimity of counsels are essential to the welfare of the whole; and lastly, for this reason, every man amongst us, who in a manner would encourage either dissension, diffidence or indifference between these colonies, is an enemy to himself and to his country."

The instructions to the Representatives of the City and County of Philadelphia, having been generally signed by the Freeman of said City and County, were delivered on Saturday last to Joseph Galloway and James Pemberton, Esquires, to be by them communicated to their brethren, and are as follow:—

PHILADELPHIA, July 30, 1763.

*To the Representatives of the Freeman of the City and County of Philadelphia.*

GENTLEMEN—We observe that duties for the sole and express purpose of raising a revenue, have been lately imposed by acts of Parliament, upon several articles of commerce, imported into these Colonies. This we consider as an infringement of our natural and constitutional rights—it is a taxation of us by persons who do not, and cannot represent us. Such a taxation, therefore, takes away our money without our consent, and if Parliament can do this legally and of right, it must follow of undeniable consequences, that we have no property, and that all we possess belongs to others, whose sovereign pleasure must determine how long we shall be indulged in the use of those things, which our own labours, and our own cares have acquired and saved.

A doctrine so destructive of property, liberty and happiness, we cannot but deem in the utmost degree unreasonable and unconstitutional, and being asserted by so august a body as the British Parliament, it strikes us with surprise, affliction and apprehension, all which are greatly increased by the violence of other measures.

Not long since we beheld a sister Colony deprived of her legislative power for no other offence, than for daring to exercise her judgment on a point confessedly within her own jurisdiction; and for refusing to put herself to a considerable expense, in obedience to an act of Parliament. A treatment severe to the immediate objects of it—dangerous and alarming to others—but this we perceive is not to be the utmost extent of American servitude.

The House of Representatives in the Province of Massachusetts-bay, roused by the common danger, candidly and wisely communicated their sentiments and proceedings to the other assemblies on this continent; it being

"necessary that all possible care should be taken, that the representations of the several assemblies, upon so delicate a point, should harmonize with each other." This behaviour of that truly respectable house, so prudent with regard to themselves, so affectionate with regard to other Colonies, and so loyal with regard to our gracious Sovereign, is represented in ministerial language, as a "measure of most factious tendency, and a flagitious attempt to disturb the public peace." Nor have these reproaches satisfied the resentment of the administration. The House of Representatives has been required "to rescind the resolution that gave birth to the circular letter;" and because they have magnanimously refused to betray the liberties of these Colonies, they have been dissolved in an insulting manner. Besides this, the Assembly of Maryland has been prorogued by their Governor, in obedience to a ministerial order; because they could not be prevailed on to "resent and treat with contempt" the letter from the Speaker of the House of Representatives of the Massachusetts bay.

These measures excite in our minds the strongest sense of PUBLIC DANGER. On the one hand, we hear claims set up destructive to our rights; on the other, threatenings uttered if we offer to oppose those claims. But as no ministerial rhetoric can persuade us that a denial of the authority of Parliament, in cases pernicious to liberty, is to "subvert the principles of the constitution," or that to be deeply sensible of oppressions, humbly to complain of them, and peaceably (though jointly) to seek redress of them, is a "factious and flagitious attempt to disturb the public peace;" we therefore do, in the most earnest manner, call upon you to exert yourselves at the next meeting of assembly, for procuring a redress of our present grievances; and for promoting a cordial union in sentiments and measures with the other Colonies, on which union alone, the happiness of the whole undoubtedly depends.

We recommend it to you to exert yourself as soon as the house meets, that a petition to his Majesty, a memorial to the House of Lords, and a remonstrance to the House of Commons, be immediately drawn up and transmitted home. Too much dispatch cannot be used at this important crisis; as we are fully persuaded, that nothing is so likely to overwhelm the Colonies with calamities, as an appearance of disunion among them. In those addresses, we desire you to express, with all possible force of language, our loyalty to his Majesty, our firm attachment to the British constitution, and our affection to the people of the parent country. That we value and revere the connexion between her and us above every thing but religion and liberty, that we know it is the band of peace and prosperity, that, influenced by these sentiments, we ever have been, are, and always shall be ready and willing, upon every just occasion, to demonstrate our loyalty and duty, by every method in our power. But, with equal zeal and firmness, are immovably resolved to assert and maintain the inestimable rights and liberties given to us by God, and confirmed to us by the constitution.

## LIABILITY OF A COUNTY FOR COSTS.

*To the citizens of Bradford County:*

Appended to the annual report of Receipts and Expenditures of the county, made in February last, were a few remarks of ours respecting the liability of the county to pay costs in commonwealth suits.—We were not able at that time to form an opinion satisfactory to ourselves as to the liability of the county in all cases; and believing it a subject of importance to every citizen of the county, both in his individual capacity and as a member of community, which ought to be generally understood: we have taken much pains to satisfy ourselves upon the subject.

In addition to our own research, we have consulted legal counsel, whose opinion coincides with our own,

and is given below as a standard which will govern us in future.

IEZEKIAH DUNHAM,

ELIOTT. MASON,

J. L. WEBB,

*Commissioners of Bradford County.*

August 3, 1831.

—  
OPINION OF ELLIS LEWIS, ESQ. ON QUESTIONS OF COSTS.

*To the Commissioners of Bradford County:*

GENTLEMEN—The subjoined opinion is given in answer to your inquiries relative to the liability of the county for the costs of prosecution in criminal cases.

By the *common law* the King, and since the revolution the *Commonwealth*, neither received nor paid costs in criminal prosecutions, but in such cases the defendant whether acquitted or convicted was obliged to pay the costs before he was discharged from his recognizances or let out of prison; 1 Chit Crim. Law, 671-5, 1 S. & R. 509. This was a series of hardship upon the defendant in case of acquittal, for which his remedy was an action against the prosecutor for the malicious prosecution. The county is to be regarded as standing in the place of the commonwealth in this particular, and is not liable, at *common law*, for the costs of prosecution in any case, although claims resting upon courtesy, discretion, and the practice of particular counties have frequently been allowed; 1 S. & R. 505, 6 Smith 229-30. Whenever, therefore, the county is sought to be charged with the costs, the claim must be sustained by some act of assembly, otherwise the county is not liable.

By the act of 23d Sept. 1791, (3 Smith 40 to 44) an important alteration was made in the common law in this particular. The county, by this act, was subjected to the payment of costs of prosecution in *proceedings to outlawry*; on bills returned *ignoramus* by the grand jury: in cases where persons were brought before a court or magistrate having jurisdiction of the case on charges of being runaway servants, or slaves, or of having committed crimes, and such charges on examination appear to be unfounded; and, if the defendant hath not property sufficient, in all cases where any person shall be convicted of any offence which shall be punishable *capitally*, or by imprisonment at hard labour. It will be perceived that the "examination" here spoken of refers to those preliminary inquiries necessary for the removal of runaway servants or slaves, and for bringing those accused of crimes to trial, and which are termed in legal phraseology, "examinations." It is also to be noticed that the provision in this act for payment of costs on conviction of capital cases, and where the punishment is imprisonment at hard labour, is only operative on the county where the defendant hath not property sufficient.

As the act of 1791 did not extend to acquittals by the traverse jury the act of 20th March, 1797, (Purdon 337) subjected the county to payment of costs in such cases. But experience having proved that the act of 1797 had a tendency to promote litigation, inasmuch as it enabled restless and turbulent people to harass the peaceable part of community with trifling, unfounded or malicious prosecutions at the expense of the public, the act of 7th December, 1804, (Purdon 337) after reciting these mischiefs of the former law, declared that all prosecutions, cases of felony, only, excepted, if the bill or bills of indictment shall be returned "*ignoramus*," the grand jury who return the same shall decide and certify whether the county or the prosecutor shall pay the costs of prosecution; and in all cases of acquittal by the petit jury, on indictments for the offences aforesaid, the jury trying the same, shall determine by their verdict, whether the county or the prosecutor, or the defendant or defendants shall pay the costs of prosecution; and the jury, in case they direct the prosecutor to pay the costs shall name him or them in their return or verdict. This act met with opposition from the Governor, and, in some instances, the courts declared it

invalid. But the Legislature on the 28th March, 1805, and on the 29th March, 1809, (Purdon 338) declared it in force and made it perpetual. After three solemn declarations of Legislative will, it would be indecorous to disregard the provisions of the act of 1804. As the law stands, under this act, all parties concerned, in cases under the degree of felony, have a right to require a decision of the jury upon the liability to costs, before any liability accrues. It is the decision of the jury which creates the liability, and without it there is nothing upon which to found a claim for costs. The law of 1804 must be regarded as repealing all former laws so far as they are inconsistent with the provisions by which the jury were required to decide upon the liability to costs. In all such cases the language of the legislature is imperative—it is not left optional with the jury to decide or not—the statute says they "*shall determine*." If they omit to do so, in cases requiring such a decision, I am not aware of any law requiring the county to pay the costs of such proceedings. The law repealed by the act of 1804 would afford no rule for the government of such cases. The Legislature will not be presumed guilty of so gross a reflection upon courts and juries as to have left in force *old* laws to provide for cases where these tribunals disregard the provisions of the new. 1 S. & R. 509—4 S. & R. 542—12 S. & R. 95.

By the act of 28th March, 1814; (Purd. 281) in case of a conviction in any court of Oyer and Terminer, Quarter Sessions or Mayor's Court, all costs shall be paid by the parties convicted, but where such party shall have been discharged according to law, without payment of costs, the same shall be paid by the county. In cases of surety of the peace the costs shall be paid by the defendant, the prosecutor, or the county, as the court shall direct. In the opinion of an eminent Justice of the Supreme Court this act extends to cases where, after a verdict of guilty, the defendant is discharged under the insolvent laws, or by arresting or reversing judgment, or by a pardon before sentence—12 S. & R. 95. In giving the opinion of Judge Duncan as a rule which will doubtless govern the commissioners, I deem it proper to remark that the opinion was an *obiter dictum*, upon matters not directly before him, and that it is still open for argument whether the act extends to convictions which are "reversed, annulled, and holden for none," and which leave the defendant liable to further prosecution for the same offence, and, under particular circumstances, on the same indictment.

From the view here taken of the law, it appears to me that the county is liable for the costs of prosecution in the following cases only:

1. In proceedings to outlawry—(unknown in practice.)
  2. In examinations before Justices, &c. where the charge of being a runaway servant or slave, or of having committed a crime is ascertained to be unfounded.
  3. In cases of conviction for offences which shall be punishable *capitally* or by imprisonment at hard labour, if the defendant hath not property sufficient.
  4. In all cases of felony where the bill is returned *ignoramus*.
  5. In all cases of felony where there is an acquittal by the traverse jury.
  6. In indictment for offences, other than felony, where the grand jury in case of *ignoramus*, or the petit jury, in case of acquittal, decide that the county pay the costs.
  7. In applications for surety of the peace, where the court decide that the county shall pay the costs.
  8. In cases where, after conviction, the party is discharged according to law without payment of costs; which, according to Judge Duncan, embraces cases where the defendant after verdict of guilty is discharged under the insolvent laws, or by arresting or reversing the judgment, or by pleading a pardon before sentence.
- If the foregoing views be correct, it results that the county is not liable for the costs of prosecution in a case of felony or other offence, where a *nolle prosequi* is en-

tered (12 S. & R. 94); nor in a case of forcible entry and detainer where the jury, on acquittal of the defendants, order a less number than the whole of those on trial to pay the costs, and the judgment quoad the costs is for this reason arrested; nor in a case under the degree of felony where the jury, in acquitting the defendant, neglect to decide upon the liability to costs, or decide that the prosecutor pay, without naming him as the law requires. These cases do not fall within any of the rules prescribed by law for payment of costs by the county. A *nolle prosequi* destroys the claim which, even in cases of felony, the county on conviction would have upon the defendant for the costs, and this circumstance furnishes an additional reason for the position that the county is not in such cases liable. In the case of forcible entry referred to, the county is not involved in the question, whether a verdict ordering a less number than all the defendants upon trial to pay the costs, be legal or otherwise? It is sufficient for the commissioners to know, that it is a case requiring a decision by jury upon the liability of costs, and that no decision has been made against the county. In forming an opinion upon this question, I throw out of view the considerations that a prosecution, under the statutes of forcible entry and detainer, is to be regarded in many respects as a *civil action*, and that the statutes 18 Henry VI., relating to this offence, directs the proceedings to be conducted "at the costs of the party grieved." Rob. Dig. 286.

Very respectfully, yours, &c.

ELLIS LEWIS.

Hezekiah Dunham, Eliphalet Mason, John L. Webb,  
Esquires, Commissioners.  
Towanda, April 21, 1831.

#### *To the Commissioners of Bradford County.*

GENTLEMEN—In reply to the inquiry, whether the county is liable to the officers for fees accruing on services rendered in the collection of forfeited recognizances? I have to state that, in my opinion, the county is not in such cases liable. The commonwealth is not liable for costs on her own prosecutions, whether civil or criminal. "This exemption, whether it be called prerogative or privilege, is founded upon the sovereign character of the state, amenable to no judicial tribunal—subject to no process." The officers cannot complain of this as a hardship, for it is a burthen to which they have voluntarily subjected themselves by accepting the offices, with all the burthens which belong to them, with a knowledge of their duties and the rights of the commonwealth. In an action for the recovery of a forfeited recognizance, taken in a criminal case, the commonwealth is not a mere *nominal party* suing for the benefit of the county. It is true that the money is to be paid to the county, when collected, and the commissioners are to superintend the collection (Purd. Dig. 230), but the right of the county does not attach until the money is collected. The recognizance is not granted to the county—the county is not the assignee of the state—the county can neither release the action, nor mitigate or remit the forfeiture. This power belongs to the state, to be exercised by the governor and the proper judicial tribunals. But if the act of 1818, were to be regarded as substituting the county for the commonwealth, in relation to forfeited recognizances, the county would not be liable, except where the commonwealth would have been liable. It is immaterial, whether the fees are claimed for services rendered prior, or subsequent, to the passage of the act of 24th March, 1818, directing that all sums of money collected, on forfeited recognizances, shall be paid to the respective county treasurers. The county is in neither case liable. (1 S. & R. 503-4, S. & R. 143, 8 S. & R. 151.)

It may seem illiberal to withhold the payment of fees in these and the like cases. But *justice* is a virtue of a higher order than *liberality*, and that liberality which an agent evinces in the profuse expenditure of the public money confided to his care, is not so much to be admi-

red, as the same munificence in the distribution of his own funds.

Yours, &c.

ELLIS LEWIS.

Hezekiah Dunham, Eliphalet Mason, John L. Webb,  
Esquires, Commissioners.  
Towanda, April 22, 1831.

[Bradford Settler.]

#### VISIT TO POTTSVILLE AND READING.

[Continued from p. 112.]

From the mines at Mauch Chunk there is a tolerable good road cut across the woods to Tomawaga, at the head of the little Schuylkill, distant six miles. Here a railroad is nearly completed from the mines in the vicinity down to Port Clinton, at the junction of the two branches of the Schuylkill. From Tomawaga to Tuscarora is about four miles. From the latter place the rail-road is in operation, by the way of a variety of small towns to Port Carbon, the head of navigation on the Schuylkill, three miles above Pottsville. Port Carbon has several railroads coming into the town in various directions, from mines from half a mile to eight and ten miles distant. There is something about the appearance of this place, which strikes the eye of the stranger with wonder and astonishment. Here, in the midst of forests and swamps, is quite a flourishing town, sprung up as it were by magic, with regular streets laid out, running over and under numerous rail-roads. The stumps in the streets showing, that but yesterday a dense forest, and impassable swamps existed, which the enterprise and physical force of man, have compelled almost to vanish, giving place to the cheerful hum of business. The wharves were covered with large bodies of coal, and boats were constantly arriving and departing, to discharge and take in their loading. From Port Carbon, we pursued the canal three miles down to Mount Carbon, a pleasant village on the canal, forming the lower part of Pottsville, and where the landings and wharves are principally erected.

Pottsville is built on the Centre turnpike, leading from Reading to Northumberland. It is laid out in regular squares, and the main street, about a mile in length, presents on each side, a compact row of large and substantial buildings. There are a large number of stores of various descriptions, and the hotels are numerous, extensive and commodious. The National Hotel, kept by Mr. Woodman, is a very large three story brick building, with several commodious parlours, and a sufficient number of well ventilated bed-rooms. Mr. Woodman and lady are well calculated to keep it in the first style. The new Pennsylvania Hotel of Col. Shoemaker, which was intended for Mr. Dungan, but now kept by the Colonel, is the *chef d'œuvre*, and we have no doubt will be kept in a style inferior to none. There are four or five places of worship, of various denominations, built in a neat style. The new Bank, with a cast iron front, presents a fine appearance, and there are many buildings which it is needless to particularize, all adding to the beauty of the place. The main streets are M'Adamized in the centre, with brick side walks. On one side of the town a very substantial rail-road is made, extending up to several coal mines, a few miles north-west of the town. A survey is now making for the purpose of extending this rail-road to the Susquebanna at Northumberland, which if once completed, would add much to the trade of Pottsville.

Having heard so many unfavourable reports about the decline of business in Pottsville, we expected to find almost a deserted town; and comparing it with the throng the two last years, we suppose it now wears rather a different aspect. We were agreeably surprised, however, to find quite as much busle and actual business transacting, as is common to towns of the same size in the interior of the state. We were informed there was more doing in the coal business, than in any previous season. One great reason why there does not seem to be as much prosperity, is the fact that speculators, a



class who could be well dispensed with, have found it necessary to leave the place, their day having gone by; and the completion of most of the rail-roads, being nearly sixty or seventy miles, has dispensed with the services of vast numbers of engineers, artificers and labourers, who had all to be clothed and fed. Pottsville would doubtless derive much advantage from the establishment of cotton, woolen, iron and other manufactories, there being abundance of water power and fuel at a very trifling cost. At Schuylkill Haven, four miles below Pottsville, there is a weigh-lock, where boats with a full cargo are weighed. The process of weighing is simple, and is done in about five minutes. The scales are on combined lever principle. The frame of the scale rests in a lock large enough to hold a boat. The boat is floated into the lock—a gate is raised to prevent the water from coming in from the canal, and that which is in the lock is gradually drawn out, until the keel of the boat rests on the frame—the boat is then weighed in a few seconds, and the water let into the lock again. From Schuylkill Haven, a rail-road is in operation to the mines on the Broad mountain, passing through Minersville, Coal Castle, &c.

From Mauch Chunk to Pottsville, and for several miles in the vicinity, the country has quite a desolatory aspect, from the frequent fires which have ravaged from time to time over the hills, destroying the timber and leaving but very few trees standing. The country has generally become covered with underwood; interspersed here and there with a few tall pine, hemlocks, &c. which have withstood the fiery element. The introduction of lime will, in time, do something towards improving the appearance of the little cleared land we saw; but for many years, Pottsville will have to depend upon farms fifteen or twenty miles distant, for a supply of produce. If the surface of the hills do not prove propitious to the enterprise of man, their bowels will amply reward, in the rich treasures that are embedded there. The coal in many of the hills is now scooped out to a very great extent, and there are no doubt immense regions of coal yet untouched. We visited one mine which had been worked night and day, by two sets of hands, for several years. A description of this, may give the reader a faint idea of the mining operations generally. In the first place, a shaft is sunk on the brow of the hill, in search of the coal, and the course of the vein ascertained. A drift or tunnel is then made from near the base of the hill, in a horizontal direction, so as to strike the lower part of the vein. The tunnel we went in was extended under the hill 1400 feet, five feet in height and four or five in breadth. A rail-road is laid on the bottom, on which the wagons are drawn in and out by a small horse. At the extremity of the tunnel, we got out of the car and ascended the shoot, where the coal is thrown down, as well as we could on our hands and feet. The vein was about four or five feet thick, having a layer of slate above and below, but differing from the mines at Mauch Chunk, there being no veins under or above. The vein appeared to rise with the surface of the hill, and the slate being perfectly smooth, we found some difficulty in keeping upon our feet. The workmen have the entire vein before them, from the top to the bottom, and as they progress on, keep the hill supported above their heads by strong props, in rows not more than six feet apart. It forms a vast subterranean chamber, or sort of amphitheatre, the pillars rising one above the other. The coal is got out by excavating a small space, say two feet high, to the distance of ten or twelve feet under the lower edge to the vein, the workmen creeping under, and at intervals putting up small props to keep the body of the coal from coming down upon them. When a sufficient body is undermined, the workmen come out, removing the props away as they come along, and the whole mass drops down from the slate above. The coal is then thrown down the shoot—the slate and dirt thrown out of the way, and props placed in the place of the coal

to support the hill. There was a singular appearance about the interior of the mine, which rendered the visit peculiarly gratifying and interesting. The total exclusion of light—the jet black appearance above and below—the colliers almost as black as the mineral they were working amongst, showing occasionally their teeth and the white of their eyes; with a small tin lamp hanging to the front of a woolen cap, fitting close on their head, being the way they carry their lights to work by—made the scene both novel and impressively grand. Having slid down the shoot, we gladly returned in the car to the light of day.

From Pottsville we passed through Orwisburg, the seat of justice of Schuylkill county, Port Clinton and Hamburg to Reading.

The canal was in complete operation, and the business has become so great as to warrant the company in going to the expense of doubling the locks, to facilitate the trade.

Reading is so well known, that it may seem a work of supererogation to attempt a description. We shall be excused, therefore, if we merely say that it is a thrifty pleasant place. Having the appearance of considerable wealth, and in the midst of a country of the most productive character. The houses are compactly built, in good style—the streets well paved, and crossing at right angles—having hydrants placed in convenient situations; and a market-house in the centre of the main street—all combine to give a favourable impression to the mind of the stranger. About one mile east of the town a very high hill rises, upon the summit of which there is a place called the *white spot*, from which we had a most extensive prospect: the town with its numerous spires—the hills and the valleys, displaying a variety of shades, in which we could see numerous herds of sleek well-fed cattle grazing. To obtain a view of the town in another position, we proceeded to an eminence about the same distance to the south. Here the scenery is quite enchanting—presenting to the eye a miniature map of the most interesting character. For many miles the serpentine course of the Schuylkill could be traced, and the Schuylkill and Union canals presenting the appearance of small rivulets, crossed by numerous bridges. The place on which we stood is a large rock, overhanging the Schuylkill, with an extensive flat surface, rendered noted from its appellation of the "*Lover's Leap*." Evening coming on, we returned to our lodging, highly gratified with our visit to Reading. The next we bent our course homeward, where we arrived favourably impressed with what we had seen; improved in health, and where we now congratulate the reader of there being an end of our sketches.—*Bucks County Intelligence*.

## HAIL STORM IN LANCASTER COUNTY, 1768.

From the Pennsylvania Chronicle of 1768.

"I now sit down, under the shade of a friendly oak in the country, in order to give you some account of the late dreadful storm here, the effects of which I have taken pains to examine, having rid several miles for that purpose.

"On Friday, the 17th inst. about two o'clock P. M. the sky was overspread with flying clouds, apparently charged with heavy rain. The wind blew pretty fresh from the S. E. and thickened the clouds in the opposite quarter; so that about 4 o'clock there was "darkness visible" in the N. W. attended with a distant rumbling thunder, and now and then a small gleam of lightning, without any explosions. The clouds deepened more and more in the N. W. and there seemed to make a stand, being opposed by the wind from the opposite points. At half after four, they assumed a frightful appearance, and at last formed a large crescent, with its concave sides to the wind, and its inner edges tinged with a dusky violet colour. About 5 the wind veered about to the N. W. which immediately gave motion to



the clouds, and discharged a most dreadful and destructive volley of hail. The storm then proceeded in a S. E. direction, at the rate of about twelve miles in an hour, attended with a most dreadful noise, something like the sounds of cannon, drums and bells mingled together. The hail stones were of various dimensions, shapes and forms. Some measured nine inches in circumference, some seven, whilst others were no larger than peas. As to their forms, some were globular, some spheroidal, surrounded with small excrescences or knobs; some elliptical, and some irregular and smooth, like pieces of broken ice. Such as were globular, were endued with so much elasticity, that they rebounded from the ground like a tennis ball. This storm divided into several branches or veins, (if I may use such terms) all which kept the same course, but bent their fury most towards the mountains, hills and highlands. At Susquehanna the hail was as large as pigeon's eggs. At Lancaster about the size of peas; at Dunkertown, and in the Valley, between the Welch and Reading Hills, they were as large as turkey's eggs; in some other places still larger; and at Reading no hail appeared. The damage done by this storm is very great; the county of Lancaster alone, it is thought, has suffered several thousand pounds. In many places there is not a single ear of wheat, rye, barley, &c. but what is cut off; and nothing left but the green straw, bruised and beat to pieces. It is melancholy to see fine plantations, and extensive fields, which, a few days ago, waved with luxuriant crops, now lying waste. Many able farmers, who expected to carry several hundred bushels of grain to market, will be obliged to buy bread for their families; and many of the poorer kind will be ruined, and reduced to beggary. All these people are now mowing their late promising and rich crops, as fodder for their cattle. Their distress is truly moving and alarming. At Dunkertown, it is said (with what truth I cannot say) that cattle were killed by the hail; but certain it is, that about Muddy Creek, in this county, calves, pigs, fowls, &c. were killed in that settlement; the ground in the woods, is as thick covered with green foliage, beaten from the trees, as it is with the fallen leaves in the month of October; and in many places the birds are found dead in woods and orchards. The N. W. side of the fruit trees are barked, and all the glass windows on that side, that were not secured by shutters, are demolished; and even the rails of fences visibly show the impressions of the hail upon them. In short, this storm threw every person, who saw it, into the most dreadful consternation; for the oldest man here never saw, or heard any thing like it."

### SOCIETY FOR POLITICAL INQUIRIES.

From the Memoirs of the Historical Society.

Report of the Committee appointed to examine the Minute Book of the Society for Political Inquiries. Read at a Meeting of the Council, March 18, 1829.

*To the Council of the Historical Society of Pennsylvania.*

The committee appointed to examine the Minute Book of the "Society for Political Inquiries," have the pleasure of presenting the result of the attention they have given to the duty assigned them in the following report.

The history of any endeavour to increase the stock of useful knowledge, and to promote the welfare of the human race, is interesting, as it displays the action of the nobler principles of the nature of man. The importance of the particular enterprise, the character of those engaged in it, the time and circumstances, may all conspire to excite additional interest. In reviewing the history of our own country, it is grateful to contemplate, not only the public acts of men whom we have been accustomed to revere, but also the schemes upon which their minds have been employed, during the intervals of official and professional occupations: to perceive how patriotism and the love of knowledge animated

their friendly intercourse, and prompted them to form associations for the advancement of science and the benefit of their fellow citizens.

The society, whose records have been committed to us for examination, was instituted but a few years after the efforts of our fathers to maintain the independence they had asserted, had been crowned with success. The storm of war had passed, and had left all serene and pure. The American people looked around upon the fair scene of political happiness presented to their view, delighting in the possession of its enjoyment, and indulging brilliant anticipations of the future. But some of the more reflecting, not satisfied with a moment of joy, nor with imaginations that might lead to disappointment, felt anxious to secure the permanence of the blessings they had obtained, and by progressive improvement to render the happiness of the nation more perfect.

Such were those who originated this association. They felt the importance of understanding fully their new condition, and of acquiring such information as would enable them to guard against unseen dangers. It was not enough, in their opinion, that the rule of a foreign power had been cast off. The following extracts from the preamble of their constitution will express their sentiments and motives.

"Accustomed," say they, "to look up to those nations from whom we have derived our origin, for our laws, our opinions, and our manners; we have retained, with undistinguishing reverence, their errors with their improvements; have blended with our public institutions the policy of dissimilar countries; and have grafted on an infant commonwealth, the manners of ancient and corrupted monarchies."

"In having effected a separate government, we have yet accomplished but a partial independence. The revolution can only be said to be complete, when we shall have freed ourselves, no less from the influence of foreign prejudices than from the fetters of foreign power; when, breaking through the bounds in which a dependent people have been accustomed to think and act, we shall properly comprehend the character we have assumed, and adopt those maxims of policy which are suited to our new situation."

With these views they associated for the purpose of "mutual improvement in the knowledge of government and the advancement of political science." The objects of the association were proposed to be attained by receiving and causing to be read at the meetings, essays, statements of facts, and observations relating to subjects of government and political economy; and by discussing in conversation political queries suggested by the members.

As an inducement to men of talent and information to bestow attention upon subjects of this kind, it was provided by an article of the Constitution, that "medals should be adjudged, at the discretion of the society, to the authors (whether members or not) of the best essays, upon such subjects as the society may propose for that purpose. The votes in these cases to be taken by ballot." A successful competitor for a medal, if not a member, was also to be admitted of course to honorary membership.

The first meeting was held at the City tavern, on the 9th February, 1787, when "laws and regulations for their government" were adopted and subscribed by the gentlemen present. Several of those whose signatures appear in the minute book, were not original members, but were elected after the organization of the society. In the list are included the names of forty-two gentlemen, generally men of great respectability, and some of them distinguished citizens of Philadelphia: there are now living but five of the number, among whom is the venerable president of the Historical Society.

The first officers, elected on the same evening when the constitution was adopted, were Dr. Benjamin Franklin, president; George Clymer and William Bingham,

vice presidents; Robert Hare, treasurer; William Bradford and George Fox, secretaries. The committee of papers chosen at the same time consisted of Benjamin Rush, John Armstrong, William Bradford, Francis Hopkinson, W. T. Franklin, and William Rawle. After the first meeting, the society, at the president's request, met at his residence, and their sessions were held every Friday fortnight from September to June.

Between the time of the society's organization and the close of its first session, a number of papers, upon subjects of great interest, were presented. We notice on the minutes the titles which follow.

March 9th. "An Enquiry into the Influence of Public Punishments, upon criminals and society." By Dr. Rush.

April 20th. "An Enquiry into the best means of encouraging Immigration, consistently with the happiness and safety of the original citizens." By Mr. Rawle.

"An essay on the Balance of Trade." By Mr. John Williams.

"An Essay on the Incorporations of Towns." By Mr. Paine.

May 11. "An Enquiry into the Principles on which a Commercial System for the United States of America should be founded." By Mr. T. Coxe.

May 25th. "An Essay upon the Advantages resulting to a nation from the cheerful temper of its Inhabitants." By Rev. N. Collin.

On one evening during this period, it appears, a discussion of queries proposed by the president took place; but what these queries were, we are not informed. Besides the reading of essays and discussion of questions, conversation occupied a portion of the time at the meetings.

The first meeting in the fall, at which any business of moment was transacted, was on the 9th Nov. when there was proposed for discussion a question which might be made a subject of serious consideration at the present time, viz.

"What is the extent of the liberty of the press consistent with public utility? If it should have limits, what are they? Is the liberty of attacking private character in the newspapers of any utility to society?" This was the subject of conversation at the next meeting.

On the 14th Dec. 1787, the society resolved to select questions for prize essays, and to offer as a premium to each successful competitor, a plate of gold of the value of ten guineas, with a suitable device and inscription. One question was immediately agreed on: "What is the best system of taxation for constituting a revenue, in a commercial, agricultural and manufacturing country?" A second was proposed and at first approved, but the form in which it should be expressed became the subject of debate at several subsequent meetings; and was not finally determined until the 9th May, when it was passed as follows. "How far may the interposition of government be advantageously directed to the regulation of agriculture, manufactures and commerce?"

Whilst the prize questions attracted the principal attention of the society, other subjects were occasionally introduced. A conversation was held on the question, "whether the study of the Latin and Greek languages is proper in the degree in which it is now pursued?" The minutes do not state who was the proposer, but he was probably Dr. Rush. The only essay noticed during this session, was one by Dr. Collin on "the Means of promoting Industry."

A committee appointed, to prepare an advertisement announcing the questions for premiums and the terms of competition, reported the 9th May, and the secretary was directed to have their report inserted in two public newspapers, in the "Magazine" and in the "Museum."

The conditions were to this effect. 1. The essays to be written in English, French, or German. 2. To be transmitted on or before the 1st Jan. 1789, to the president, with a sealed letter containing the author's name and residence—the essay and letter to be distinguished

by a motto, &c. 3. All communications from candidates to be referred to a committee, who shall select those they may deem the most proper to be laid before the society at large. 4. The society, at an appointed time, to adjudge the premiums after determining by vote whether any of the essays then under consideration are deserving. 5. No member who may be a competitor, or who shall not have previously considered the comparative merits of the several essays, shall vote in awarding the premiums. 6. Letters accompanying rejected essays to be returned unopened. 7. Premiums to be oval plates of standard gold of ten guineas value, having on one side a device and motto, on the other an inscription of a suitable kind, with the date, &c.

The third session commenced in Oct. 1788, but the members were remiss in attendance, and seem to have lost much of their zeal, or to have had their attention drawn to other matters: this was evinced by a proposal to make the meeting less frequent.

Two essays, one in German, the other in English, by competitors for the premiums, were laid before the society on the 13th Feb. 1789. The latter had been published before the society's advertisement had issued, and for that cause its consideration was postponed. The former was referred to a committee for the purpose of being translated, and upon the gentlemen appointed declining to undertake the task, the secretary was authorised to employ a translator. Dr. Collin was requested to revise the translation when completed, and a special meeting was ordered to take place when the essay should be ready for the consideration of the society. Under date 9th May, we find the minute following: "The translation of the German essays was produced, and the first read through. Mr. Weiss's bill was then taken under consideration; the charge declared exorbitant; and the secretary desired to inform him, that the society look upon it as such, and cannot think of giving more than eight dollars."

"Adjourned to"

Thus abruptly terminate the minutes. We have no further account of the fate of either the German or English essay. The society had been for some time languishing, and expired in the burst of indignation against the exorbitance of Mr. Weiss. But though the circumstances of the times caused the dissolution of the association, many of its members individually continued to prosecute inquiries in political economy; and have, through the medium of the press, and in legislative debates, contributed to enlighten and to benefit their fellow citizens, whose welfare had been the object of their union.

GEORGE W. SMITH,  
WILLIAM B. DAVIDSON,  
Committee.

March 18th, 1829.

#### MEETING FOR DIVIDING THE COUNTY OF PHILADELPHIA.

At a numerous and respectable meeting of the inhabitants of *Germantown Township*, convened by a previous public call, at the Inn of Daniel Hein, in Germantown, on Thursday the 11th inst.—

Dr. WILLIAM RUNKEL, Jun. was called to the Chair, and JOHN F. WATSON, appointed Secretary.

The business of the meeting being stated from the Chair, a Preamble and Resolutions were moved, and after some discussion, adopted, to the following effect, to wit:

Whereas, the present county of Philadelphia, contains a population so extensive, that it renders the administration of justice tedious and uncertain: the courts are so numerous, and hold such long terms; some of them in seasons of the year inconvenient for agricultural pursuits; the financial concerns require a rate of taxation higher than any other county in the state.—It is therefore confidently expected, that if the townships of Blockley, Roxborough, Germantown, Bristol, Oxford,

Lower Dublin, Moreland, Byberry, and part of Northern Liberties, and Penn. were erected into a county, the inconveniences now complained of, would be greatly lessened, and in a few years, the rate of taxation would be reduced. Whereupon, *Resolved*, that it is expedient to adopt measures to obtain this object—

*Resolved*, That three delegates be appointed to confer with such other delegates as may be appointed in the other townships for this purpose—whereupon, Samuel Samuel Harvey, Joseph Hersheimer, Esq. and Dr. Wm. Runkel, Jun. were nominated and appointed, with power to supply any vacancy in their number.

*Resolved*, That a corresponding committee of five persons be appointed to correspond on the subject, with suitable persons in the other townships named, or other adjacent townships, either in personal interviews or by letter; with power to call a township meeting when they may deem it expedient; also to transmit the proceedings of this meeting to such persons in the townships named, as they may deem proper—whereupon, John F. Watson, Joseph Bockius, Edward Bonsall, Esqs. Joseph Dickinson and Israel Gilbert, were nominated and appointed.

*Resolved*, That a committee of twelve persons be appointed to collect from the inhabitants of the township, such sums of money as they may be disposed to contribute, to meet such expenses as may accrue, and deposit the same in the hands of John F. Watson, cashier of the Bank of Germantown, to be drawn for as a subsequent meeting may direct. Whereupon, Jedediah Strong, Esq. Jacob S. Wunder, A. B. Amerman, Esq. John M. Bockius, Jacob Clemens, Charles Bockius, Benjamin Sharpnack, Jacob Hottler, sr. Col. Roumfort, Jacob P. Derr, Isaiah Bell and Jacob P. Jones, were appointed to the said service.

On motion it was

*Resolved*, That the proceedings of this meeting, signed by the officers, be published in the "Germantown Telegraph," and in such city papers as may be disposed to give them publicity.

WILLIAM RUNKEL, Jr. Chair'n.

JOHN F. WATSON, Secretary. [Germ. Tel.

### WATER POWER.

A few days since, John Davies, Esq. at the instance of a number of gentlemen of Harrisburg, levelled the route of a canal or race, for supplying the borough of Harrisburg with water, and creating a water power. The route pursued, commenced at Brushy Rock, immediately below M'Allister's, thence along the shore to the lock above Updegraff's, thence along the low ground near the state canal, as far as the farm of John Fox, thence towards the river to the low ground, on the south side of the ridge, extending through the lands of Messrs. Cox, Elder, M'Kee, and Hummel, to the farm of Messrs. Orth and Reily, thence either crossing the turnpike, and continuing along the bank to the upper end of Pottstown, and there again crossing the turnpike till after passing the works of the Messrs. Wiestlings—there recrossing the road and continuing along the river to MacLaysburg or MacLay's rock—or else, proceeding through the land of Messrs. Orth and Reily direct to North or State street, MacLaysburg, and thence to the river.

The following is the estimate of Mr. Davies, by whom a diagram will be prepared, in a few days, for the inspection of the citizens generally:

89,762 cubic yards of excavation (common) at	
8 cents per yard,	\$7,180 96
20,354 do. (rock and hard pan) at 20 cts. do.	4,070 80
33,226 do. towing path and embankment at 10 cents do.	3,322 60
13 Farm Bridges, at \$75 each,	975 00
1 Guard Lock,	600 00
1 Out-let Lock (wood),	1,200 00
7,626 perches of dry wall 40 at cents,	3,050 00
	<hr/> \$20,409 36

Add 10 per cent. for contingencies and superintence,

2,040 93

\$22,450 29

[Exclusive 1,600 perches of post and rail fence.]

The race intended by Mr. Davies, was to be 17 feet wide at bottom, and the fall from M'Allister's to Harrisburg is 16 feet.

Judge Geddes, the distinguished engineer, formerly of this neighbourhood, now residing in the state of New York, has kindly examined the principal points of the projected canal, and has expressed a very favourable opinion of it. He recommends a race of larger dimensions than the one above stated—viz. one of 25 feet wide at bottom, 40 at the surface, and 5 feet in depth, on account of its liability to freeze, and a fall of 4 inches in the mile. A race of these dimensions, Mr. Geddes calculates, would furnish 14,064 cubic feet of water per minute, or 234 cubic feet per second; also, that agreeably to the table stated in Evans' Mill-wright Guide, 8 cubic feet and six-tenths per second, acting upon a pair of stones of 5 feet in diameter, making 97 revolutions per minute, with a fall of 14 feet and two-tenths, will grind five bushels of wheat per hour. 234,406 divided by 8.6, gives 27.48. Thus a race of the latter capacity, with a head of 14 feet and two-tenths, will produce a power sufficient to turn about 27 pair of stones, capable of grinding five bushels of wheat per hour. But if, with the aid of a low dam on the falls at M'Allister's, the head be increased to 15.47 feet, it will require scarce eight cubic feet of water per second to turn the same stones, and 234 cubic feet of water per second will then turn more than 30 pair of stones.

As the channel, outside of Brushy rock, is used only when the water is too low to suffer craft to pass the channel next the shore, it is evident that a dam of two, three, or four feet high, will improve the inner channel, and thus benefit rather than injure the descending navigation. For the ascending navigation the canal has almost wholly superseded the river, but a windlass placed at the head of the channel would enable boats to pass it. If our citizens should be generally favourable to this project, (and there should be but one opinion on the subject,) the passage of the necessary law can, in all probability, be procured; and if so, the rapid advancement of our borough, in wealth and population, can be confidently anticipated.—Harrisburg Chronicle.

### FUEL SAVINGS SOCIETY.

At a meeting of the Board of Managers of the "Fuel Savings Society" held 8th mo. 5th, 1831, the following preamble and resolution were adopted, viz.

"Whereas, the time has arrived, when in the opinion of this Board the article of Anthracite Coal ought to be introduced as a common Fuel amongst the poorer classes of our citizens; and, as it appears, there is at present nothing required to effect this desirable object, but the invention of a cheap, simple and convenient moveable apparatus for burning coal, not only for the purpose of warming the apartment, but for doing the necessary cooking, &c. for a family.

Therefore, *Resolved*, that a committee of three members, be now appointed to inquire into the subject generally, and, should they deem it expedient to advertise for an apparatus, of the character above named, and that they submit the result of their inquiries to a future meeting of this Board."

The undersigned, a committee appointed in pursuance of the above resolution, hereby invite the attention of Mechanics and others interested in the manufacture of

### COAL STOVES, GRATES, &c.

to this subject, and should any person now possess or within two months hereafter invent an article well adapted to the purposes above stated, and which can be delivered at a low price (say not exceeding six dollars



each) the managers would use their influence to introduce it into common use.

Any communication on the subject, made to either of the undersigned, will be attended to.

L. NICHOLSON,

12th, 2d door south of Chesnut street.

THOMAS ROGERS,

No. 411 Arch street.

JOS. H. SCHREINER,

S. W. corner Race and Second street.

8th mo. 13th, 1831.

#### IRON WORKS, &c.

Kurtz, it is supposed established the first iron works in 1726, within the present bounds of Lancaster county. The Grubbs were distinguished for their industry and enterprise: they commenced operations in 1728. Henry William Steigel managed Elizabeth Works for many years when they were owned by Benzet and Co. of Philadelphia. The Olds were also known as industrious, punctual, and prudent iron-masters; but Robert Coleman, Esq. became the most successful proprietor; to untiring industry and judicious management he united the utmost probity and regularity in his dealings, and to him this county is especially indebted for the celebrity it has acquired from the number and magnitude of its iron works and the excellence of its manufacture.

Henry William Steigel was the founder of Manheim; he erected glass works at a considerable expense, but being of a speculative character he became involved, and his works passed into other hands. A curious house erected by him is still to be seen near Sheaffers-town, where it is pointed out to the notice of the passing stranger, as "Steigel's Folly."—*Lancaster Miscel.*

**DIED**—On Monday the 1st ultimo, at Mr. Emmerts', his son in law, near Hagerstown, Maryland, the aged and venerable YOST HERBACH, Esq.

Mr. Herbach was attacked by the cholera, and only survived this rapidly mortal disease five days. He was born on the 11th of October, old style, (22d October,) 1741; therefore, he lived to the advanced age of eighty-nine years, nine months, and nine days.

Mr. Herbach well remembered when the Indians, whose name as a nation has long since become extinct, had a town on the banks of the Canoe run, near Krutz Church, in Hellam township, and that the borough of York had to be guarded by sentinels during the night, against their hostile incursions. With the plough a furrow was drawn around the town, serving as a demarkation, along which the the sentinels marched in the execution of their duty.

#### PHILADELPHIA.

It is computed that 25,000 [in 1820 there were 11,832] of the inhabitants of the city of Philadelphia, obtain their livelihood in manufactures. There are

Warping Mills,.....	104
Weavers,.....	4,500
Spoolers,.....	4,000
Bobbin Weavers,.....	200
Dyers,.....	200

The wages of all these is estimated to amount to \$1,470,000. 44,000 lbs. of indigo are used per annum. The number of yards per year is estimated at 24,300,000.—2,500 houses, some of the best kinds, are building here the present year.[?]—*Poulson.*

**SWEET POTATOES.**—We were last week presented with a mess of sweet potatoes, from the field of Mr. Benjamin Jones, near the borough of West Chester. They were finely grown—mealy, and of excellent flavour. The sweet potatoe with us, is rarely, we believe, found in such perfection so early; and Mr. J., we learn, was indebted for these and numerous other early products, to the care and skill of an industrious coloured man, who is his gardener.—*Record.*

On Monday last (11th July), Mr. John Waldron, of Turbot township, Northumberland county, cradled 176 dozens and three sheaves of wheat, large bind, before sun-set.—*Milton Advocate.*

#### Appointment by the Canal Commissioners.

JOSIAH WHITE, of March Chunk, to be Engineer on the Delaware division of the Pennsylvania Canal, for the purpose of making the repairs necessary to render said division navigable as early as possible.

#### Pittsburg, August 9.

At twelve o'clock yesterday, the river was nine feet above low water mark, and rising rapidly. Judging from the quantity of rain which has fallen during the last forty-eight hours, we expect that the river will be higher on the 10th instant, than it has been during the present year.—*Gazette.*

We learn that the construction of the Schuylkill railroad bridge, at or near Peters' Island, was allotted by the canal commissioners, on the 30th ultimo, to Sylvanus Lathrop, John B. Ives, and William O. Brown, for the gross sum of \$89,000. The work will commence in a few days, and be prosecuted with vigour until completed.—*Poulson.*

**GUINEA HENS.**—While in Chester county, a few days since, we were informed by the landlady of a house where we stopped, that a nest containing one hundred and twenty-one eggs had recently been discovered in their cornfield, which were deposited by one of these fowls.

A Rock Fish was caught May 10th, 1831, near the Upper Ferry Bridge, weighing 18½ lbs. and was bought by Mr. Harding, keeper of the Upper Ferry Inn, while alive.

## THE REGISTER.

AUGUST 20, 1831.

We invite attention to the article headed *Revolutionary Address*, which we have extracted from a paper called "The Pennsylvania Chronicle," published in this city in 1768. We regard it as a nervously written and sensible production, showing that the people were well acquainted with the foundations of their political rights. The address goes upon the true ground, that as the colonies derived their charters from the monarchs, the acts of the colonial legislatures, having the royal consent, were beyond the authority of parliament. The paper is further important, as furnishing some evidence of the feeling which ministerial manœuvre, and parliament encroachment excited, at an early period, in Pennsylvania.

Mr. JAMES SPICER, of this city, has invented a machine by which he proposes to convey the United States' mail with astonishing rapidity. The plan is simple—a cylindrical box, containing the mail, is to be placed in a pipe ten or twelve inches in diameter, laid under ground. At each section of the pipe—that is, at the necessary stopping places of the mail—air pumps are to be adapted, acting as exhausters in that part of the pipe anterior to the box, and as forcing pumps posterior to it; by which means, the box will pass through the pipe with a velocity proportioned to the force employed.

He invites the public to examine a model, which he has now in operation, at his house, north-east corner of Twelfth and Race streets.



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 9. PHILADELPHIA, AUGUST 27, 1831. NO. 191.

## INDIAN HISTORY.

[FROM THE PEMBERTON MANUSCRIPTS.]

Taken by Charles Thomson, Secretary for Teedyuscung.

[Continued from page 116.]

On Saturday, April 29th, 1758, Teedyuscung, with Tepiscahung, came to town, and his interpreter being sent for and come—on Tuesday, May 2d, he sent to let the Governor know he would be willing to speak with him. Twelve o'clock was appointed. At which time Teedyuscung, with Tepiscahung, and Isaac Still, his Interpreter, and Charles Thomson, went to the Governor's. Where were met to receive him—

The Governor; Robert Strettel, Joseph Turner, Richard Peters, Thomas Cadwalader, Lynford Lardner, and Conrad Weiser, Esquires.

Teedyuscung, addressing the Governor, told him that he had nothing new to say, that he came only to put the Governor in mind of some things that were to be done, and which had already been agreed upon.

He then told him that his business was about the settlement at Wyoming. The Indians, he said, expected it should be done; and if it was neglected, they would blame him (Teedyuscung), he therefore earnestly pressed the Governor, immediately to send up some person to finish the buildings; for as the summer was coming on, and the time of planting would soon be over, no time was to be lost.

To this the Governor replied, that he would immediately take into consideration what Teedyuscung had said. But as there was an expedition going forward, and the General was in town, it would be necessary to consult him upon it. Besides, it would be proper to lay the matter before the Assembly, who were now sitting; that this should be done instantly, and as soon as he was ready to return an answer he would let Teedyuscung know.

The Governor further informed Teedyuscung, that he was at New Castle, the last time Teedyuscung was in town; that there he heard of fresh murders committed on our frontiers, particularly in Berks county; he therefore desired to know, whether Teedyuscung could inform him what Indians they were that committed those murders, or whether he had heard any thing of them.

To which Teedyuscung answered, that he knew no more who had committed those murders than the Governor—that he was very much surprized at their being done. That the Indians on Allegheny had sent him a Belt, to assure him that all the Indians, from Sun-rise to Sun-set, were willing to be Friends, and join the English—that he could not account for this last mischief; but that he had sent his two sons to Allegheny, to inquire into the cause of it, as he had more fully informed the Governor by a letter he had sent him down from Bethlehem, which he hoped the Governor had received.

The Governor told him he had received the letter, and desired to know how soon he expected his sons would return; he said, he thought in less than fifty days.

The Governor, turning to Conrad Weiser, asked him if he knew where the Indians, that did the mischief, entered the Province. Mr. Weiser replied, that they had, as he thought, come down the Juniata and crossed the Susquehannah. The Governor asked him if he was

sure of this. C. Weiser replied, that it was certain they came over the Susquehannah.

The Governor then asked Teedyuscung, how long time it would take to finish the buildings at Wyoming.

That, Teedyuscung said, would depend upon the number of hands. Suppose, said the Governor, the same number as went before, which was about 150. With that number, replied Teedyuscung, every thing may be finished in about twenty days.

Teedyuscung farther informed the Governor, that he had one thing more to say: He had before requested to have two Ministers, two School-masters, and two Counsellors, but had not yet received an answer.

The Governor replied, that he should have his request; that it was provided for by an act of Assembly, and that the man should be sent up when the place was ready.

Wednesday, May 3d, 1758. Mr. Peters sent for Teedyuscung, desiring to have some conversation with him before he went to the Governor's.

At the meeting were present—

Richard Peters, William Logan, Conrad Weiser, Esqrs; Teedyuscung, Tepiscahung; Isaac Still, Interpreter; Charles Thomson, William Edmunds.

Mr. Peters began the conversation, by letting Teedyuscung know he had been informed by William Edmunds, that he (Teedyuscung) wanted several things; he therefore desired to know from himself what they were. That the reason of his sending for him, and asking, was in order to save time; for as soon as he knew what Teedyuscung wanted, he would acquaint the Governor, and then the Governor would be able to give a full answer at once.

Hereupon Teedyuscung replied, that he wanted some houses built. Being asked how many—he said, at first he thought of forty, but now would be content with twenty.

Next he wanted some land ploughed and fenced in—a few cows—a saw-mill built—and some apple trees moved, (Mr. Spanenburg having promised him an hundred)—and lastly, his horse changed, and a horse for his wife. This, he said, was all he at present wanted.

Being told, that if he had any thing further to ask, now was the time. He further said—he had lost two horses at Easton, at the last Treaty, which he was promised should be made good to him, but he had not yet got them. These he will now want to carry up his family to Wyoming. He should likewise want a wagon, to carry his goods from Bethlehem to Fort Allen; and requested for himself, a rifle gun and some powder and lead.

Mr. Peters then asked him, how the men would be protected, that went to Wyoming to do what he desired. To which Teedyuscung replied—that he would raise what men he could; and while the white people were working, he would constantly keep scouts out to guard them.

How many men have you?—At Bethlehem I have about twenty, and I expect more down.

Teedyuscung then added: Brother—it is very likely I shall soon be down here again. The Cherokees, I understand, are coming to town; and if, upon their coming, it be found necessary for me to be here, in order to

promote the good work, I shall come down, otherwise it may be a long time before I shall see my Brothers here again.

How do you know the Cherokees are coming here?

A young Cherokee last night came to town—the same who accompanied a man by whom I last fall sent a Belt to the Cherokees, with offers of friendship, and an invitation to come and meet me here. This young man informs me, that the man who carried the Belt, with some Great Men are coming, that he left them at Winchester ten days ago.

Do you know, how the message you sent was received?

The young man informs me, that the Cherokees accepted the Belt, and were very glad; but the Flat Heads, or Catawbas, rejected it.

How soon would you have the men go up to Wyoming to make the settlement?

I would have them set out from hence four days after I leave the town—so that they may be there in two weeks from this time.

One thing more I have to say. There is a horse, which belonged to my son Jacob, which Vernon has got—I want an order upon Vernon to deliver him up.

On Friday, May 5th, 1758—The Governor sent to let Teedyuscung know he was ready to give him an answer, and desired he would come to his house. Teedyuscung accordingly went; and being come, was shewn into a side room, where Conrad Weiser soon after came to him, and told the Governor was busy, and besides waited for some of his Council before he could speak to him; that, in the meanwhile, he was desired by his honour to read to Teedyuscung a paragraph of a letter, which his honour had received from Captain Wetherholts, who is stationed about Allamingle; that it was only read for Teedyuscung to consider and think of it.

The purport of what he read was, that Captain Wetherholts had sent an escort, with some provisions, up to Fort Allen, that as the escort returned, on Saturday last, two of the men who were half a mile behind the rest, were fired at by some Indians; but neither killed nor wounded.

Teedyuscung, pausing a little, said—he thought it a very unlikely story; for how could two men, so far from the rest of the company, escape from a party of Indians that way-laid them, and intended them a mischief, at least without being wounded. He, therefore, thought it a false report.

Conrad Weiser said, for his own part, he was quite of the same opinion; and, to speak plainly, he did not believe there was any truth in it. Then turning to William Edmonds and Charles Thomson, he said the Governor desired this should not go out of the room.

Soon after, the Counsellors being come, Teedyuscung was invited to the Conference. At which were present:

The Honourable William Denny, Esquire; William Logan, Richard Peters, Lynford Lardner, John Mifflin, Thomas Cadwalader, Esquires; Conrad Weiser, William Edmonds; Teedyuscung, Tepiscahunig, Isaac Still, Interpreter; Charles Thomson, Secretary.

What the Governor told Teedyuscung, that he had agreed to what Teedyuscung asked, and that every thing should be done agreeable to what was down in the paper; that John Hughes was already spoke to, and was willing to go to Wyoming to see the work done; and that as the rest, who were joined in commission with him, lived in the country, he would write to them this afternoon; and that nothing should be wanting on his part.

The Governor told Teedyuscung, that the young man who was put in prison, on suspicion of killing Moses Tetamy's son, had been tried, but sufficient proof not appearing against him, he was acquitted of the murder; however, as it appeared he was a wicked boy, he was

still confined; and he now desired to know, what Teedyuscung would have done with him?

Teedyuscung said, he did not well know what should be done with him—as it was not fully proved that he killed the boy, he would not by any means say he should die. For it might be he was innocent, and if he should desire him to be put to death, though innocent, he would have to answer for it.

The Governor said, as he was a naughty, wicked boy, he would order him to be sent over sea, quite away to some other country; if that would satisfy Teedyuscung and Moses Tetamy.

Teedyuscung replied, that would be quite satisfactory; and as it was not clearly proved that he was guilty, he thought it would be best only to send him away out of the country.

This being thus agreed upon—the Governor said, he expected Teedyuscung would send some of his people to range on the frontiers, in order to keep off the enemy, and give intelligence.

To which Teedyuscung replied, that he would do as the Governor desired; and that he would keep scouts out, so that the people might follow their business and not be molested.

Being asked if he had any thing farther to request of the Government, he said—I have nothing farther to ask; but addressing the Governor, he said:

Brother—I would not have you discouraged in this good work. Let us both press on. For my own part, I will never let it drop—I will do my utmost endeavour so that one or two men shall not break us. I would not have you discouraged. I know there are many flying stories and bad news. I cannot answer for all the Indians—You know there are many Nations joined with the French—There may also be some of my young men, some straggling few, who have bad hearts; but don't let one or two break us. Now, if you desire, I will go myself, or send some sober Indian back, to find who has done the mischief; and, if you please, you may send a white man along with him, who may see and judge for himself.

The Governor said—he took it kind, that Teedyuscung proposed to go himself; and he might be assured, this Government would fulfil every engagement they had entered into, and would do every thing in the way they thought would be most agreeable, and most to the satisfaction of the Indians.

Teedyuscung, addressing the Governor, said:

Brother—I never begged a favour of you before; now I have one to ask, and beg you would grant it. I have seen a man, who is a strong active man—You want such men to go against the enemy—This man's name is James Perry. I saw and spoke with him to-day. He promises to raise fifty men. I desire he may be made a Captain.

The Governor said—he was sorry Teedyuscung had not spoke sooner; that all the Captains were already chosen and commissioned; but if James Perry would raise fifty men, and bring them to the Governor, he should have a Lieutenancy.

#### LAUSANNE.

The first sale of lots in the town of Lausanne, which took place on Saturday last (13th), we learn, was well attended—above twenty lots were sold, at an average of two hundred and twenty-five dollars; on the most of which, buildings will be immediately erected.

Lausanne is situated on the west branch of the Lehigh, at the mouth of the Nesquehoning creek, a short distance above Mauch Chunk. The new rail-road to the Room Run mines, passes immediately in the rear of the town, and there are fine landings on the Lehigh in its front. Taking these circumstances into consideration, and the preparations which are making for a rail-road from Lausanne to the Beaver Meadows, and of a canal to the Susquehanna, we consider it as promising soon to become a flourishing town.—*Easton Whig*.

From the Village Record

## CULTURE OF SILK.

—PHILADELPHIA, Aug. 4, 1831.

CHARLES MINER, Esq.—

Dear Sir: Having occasion to purchase Cocoons for the experiments which I have been induced to make during the course of the present summer, in order to collect as many useful facts as possible on this interesting subject, I have observed with pleasure that a considerable part of the cocoons brought to me for sale, are raised by farmers in the county which you inhabit; and reflecting on what might be the cause of the attention paid in that part of the state, to this culture, I have presumed that it must be, in a great degree, owing to your personal exertions—considering that you were the first, on the 29th of December, 1825, to move the House of Representatives of the United States, to take this subject into consideration. At any rate, knowing the interest that you take in it, and in general, in every thing that may contribute to the welfare and improvement of the county of Chester, already distinguished by the public spirit of its citizens, evidenced in various ways that cannot escape the eye of the most superficial observer, I take the liberty of addressing to you a few suggestions on the subject of the silk culture, which I hope will not be useless to your active and industrious people. If you should be, however, of a different opinion, I hope you will excuse the liberty I take, in consideration of my motive.

When I said that a considerable part of the cocoons brought to me for sale, were from Chester county, I did not mean so much to speak of the quantity, as the number of farmers and farmers' wives and daughters by whom they are brought in small parcels, which shews that the public attention in that district has been particularly directed to the silk culture. I do not think that, Philadelphia county excepted, it is so much attended to in any other part of the state. This spirit, therefore, requires to be kept alive and encouraged as much as possible.

The first observation I think it necessary to make, is, that your farmers cannot expect to profit by the cultivation of silk, while they only raise cocoons in the small quantity of ten or twelve pounds. They ought to be convinced that it is little more trouble to raise a larger than a smaller quantity. They ought to try at first twenty or thirty, then fifty, then a hundred, and they may rise afterwards to three, four or five hundred pounds—nay, a thousand; which, at the price of forty cents a pound, which is now given for the article, will be a very great profit, for the labor of six weeks upon a farm in every year. Experience and practice will make the labor easy which at first may appear difficult. I do not mean they should begin at once to raise large quantities; they should proceed gradually, but increasing every year the quantity that they make. At the same time, I would not prevent those who have the means and are possessed of an enterprising spirit, from forming establishments for raising cocoons on a large scale. The first cost of the building would not have to be repeated every year, and would not be more expensive than the erecting of a moderate barn.

I would recommend also the planting of white mulberry trees. The greatest part of the cocoons I have purchased from Chester county, were produced by worms fed on the leaves of the red mulberry of this country. I have not completed my experiments to ascertain the relative value of the two species of trees for the purpose of raising silk worms. Those I have made have produced different results. I have reeled cocoons from Louisiana, produced by worms fed on the leaves of the wild mulberry. I found them very hard to reel, and the silk, when reeled, was hard to the touch. In other trials with other parcels, from this and the neighboring states, I have found no such result. I am strongly inclined to believe in the correctness of an

observation made by Mr. Tweed, of Northumberland, that the leaves of the forest tree, either have too much gum, or do not afford sufficient nourishment to the insect, and that from whatever cause, the wild mulberry improves by being transplanted and cultivated upon a farm. I would try this by all means, and also the grafting or inoculating it with the white mulberry, and at any rate I would not wait for raising cocoons, until there be a sufficient quantity of the white mulberry trees in the country: I would endeavor to increase that quantity, but in the mean time I make use of our American native tree.

I have given the silk from Louisiana cocoons which I mentioned above, to a skilful silk throwster, lately established at Manayunk, to be wound and twisted by machinery as is done in Europe; after which I mean to have it ungummed and dyed by a regular silk dyer; and then, if I can find a silk stocking weaver, furnished with a suitable loom, which I am told I can find in this city, I shall have the silk made into stockings—by which means its quality may be fairly judged of. If this hard silk, as it now is, produces good soft stuff, the only objection that will remain will be that of the waste which such silk suffers in the reeling; for I must say that 15 lbs. of those cocoons only produced one pound seven ounces of raw silk—while 12 lbs. of other cocoons, also from Louisiana, but the worms of which had been fed on the white mulberry leaves, gave two pounds. I should say, however, that the first has been somewhat overbaked, and were two years old.

It is not by one or two experiments that the relative value of the silks of this country can be ascertained.—They must be repeated again and again, if we wish to come to certain results.

The throwing machine or mill that I have spoken of, was made in this city, and is the first, I believe, that has been seen in this state. It belongs to Mr. Joseph Ripka, an enterprising manufacturer of the Northern Liberties, and is worked at Manayunk, by Mr. John Stratton an Englishman, who came over last year. I regret that this machine is not of sufficient power to twist sewing silk; for I should have liked to shew to my fellow-citizens, the difference between that article regularly manufactured, and that which is made in this country with the common spinning wheel. I have sent some of the best of the latter to an eminent silk manufacturer at Paris; he admired the material, but could not praise the work, except in consideration of the inadequate means employed in making it. Thus made it will never be MERCHANTABLE.

I would wish to inform the Chester county farmers, that they should not bring their cocoons to market in bags; because they get crushed and flattened, so that they can but with great difficulty be reeled. I would advise the bringing of them in boxes or barrels, or in casks. They need not be stripped of their flags.

I am, very respectfully, dear Sir,

Your most obedient humble servant,

PETER S. DUPONCEAU.

P.S. As those who bring cocoons for sale, bring them generally to my house or to my office, which is not convenient, it is well they should know, that they will be received at the flatrate, No. 148 Pine street, or the counting house of Mr. G. Garesché, No. 38 Chestnut st. between Front and Second streets.

## REVOLUTIONARY.—1768.

["The instructions to the Representatives of the City and County of Philadelphia," in our last, gave rise to the following petitions:]

*To the King's Most Excellent Majesty.*

The Petition of the Representatives of the Freemen of the Province of Pennsylvania, in General Assembly met—most humbly sheweth,

That your petitioners, with hearts deeply impressed



with the most perfect loyalty and affection for your majesty's royal person and government, and gratefully sensible of your benevolent intentions to promote the constitutional liberty and happiness of all your faithful subjects, however remote, beg leave to supplicate your majesty to hear the complaints, and redress the grievances of your faithful subjects, the good people of this province.

Our ancestors, near a century past, with a view of enjoying that liberty, both civil and religious, of which they were in a great measure deprived in their native land—to extend the empire of the British dominions; to increase its commerce, and promote its wealth and power; before the accession of your majesty's illustrious house to the British throne—removed from their mother country to the province of Pennsylvania, then a wilderness. The disadvantages, dangers and distress, necessarily attendant upon this separation from their friends, relatives, and the land of their nativity, we trust must appear to your majesty's wisdom too evident to need a repetition; and yet with inexpressible labour, toil and expense, and without the least assistance from the mother state, they and their descendants, by their prudence and strict economy, have peopled, planted, and improved that wilderness into an extensive and heretofore flourishing colony, and thereby greatly added to the commerce and wealth of the nation, and to the power and dignity of your majesty's empire.

While thus contributing to the welfare of the mother state, and struggling with innumerable difficulties to enlarge its dominions, we most humbly conceive that your majesty's faithful subjects of this province, have by no act whatever surrendered up or forfeited those constitutional rights and liberties, which were inseparably annexed to their persons, as natural born subjects of the British government; but on the contrary, that those rights were brought over by our ancestors to this distant land, and are now vested in their descendants, as an inheritance the most important and valuable, on the enjoyment whereof their future safety and happiness essentially depend.

Thus possessed of the rights of Englishmen, derived to them from the most excellent constitution, and under a firm persuasion that the enjoyment and full exercise thereof, would be continued down to your people of this colony, and their latest posterity, it is with inexpressible concern and anxiety, that we find ourselves under the necessity of representing to your majesty, that certain duties and taxes, for the sole purpose of raising a revenue, have been imposed by Parliament on your majesty's American subjects, although they have no representative or voice in that most respectable and august body—that this taxation, we most humbly apprehend, is destructive of those rights, and that freedom, which they are by birth entitled to, as men and Englishmen, who cannot be legally taxed, either by the principles of equity or the constitution, but by themselves or their legal representatives; and that should this law remain unrepealed, and the Commons of Great Britain exercise in future the power of granting the property of your majesty's American subjects without their consent, and without having any constitutional opportunity of being informed of their true circumstances and abilities to bear such taxations, which their situation and distance from the mother state render impracticable, your faithful people of those colonies will possess nothing which they can call their own—all security of property will be lost.

This right in the people of this province, of being exempted from any taxations, save those imposed by their own representatives, has been recognized by long established usage and custom, ever since the settlement thereof, without one precedent to the contrary, until the passing of the late Stamp-act. Whenever your majesty, or your royal predecessors, have had occasion for aids, to defend and secure the American colonies, requisitions have been constantly made of the Assemblies of

this province, who ever, with the utmost cheerfulness and loyalty, have granted them; and often so liberally, as to exceed the abilities and circumstances of the people, yet labouring under a heavy load of public debt from that cause. The granting aids to the crown being the means of recommending themselves to your majesty's paternal care and favour, it will be with the utmost distress that your faithful subjects of this colony shall see the Commons of Great Britain, without their consent, disposing of their property; and thereby depriving them of a right, which in value and importance they esteem above all others.

We most humbly beseech your majesty to be assured, that the people of this colony are most zealously attached to your royal person; and will ever be ready, on all future occasions, to demonstrate their duty to your government, and the firmest resolution to assist, with the utmost of their abilities, in supporting your majesty's authority, and defending your dominions. But, most gracious sovereign, should the Commons of Great Britain persist in depriving us of this most invaluable privilege, it will be with the deepest affliction, that the people of these colonies must perceive so unfortunate a distinction established between your majesty's loyal British and American subjects—leaving the *one* in the full possession and exercise of all those rights, which are necessary to the most perfect political liberty; and the *other* bereaved of that, which *alone* constitutes the great security and foundation of all their other privileges—a distinction which, we fear, cannot fail of creating a disunion in sentiments and affections, jealousies and discord between them, to the great injury of the trade and commerce of the Nation, and prejudice of both countries.

Under the most grateful sense of your majesty's paternal care and regard for your people, so often manifested in the exercise of your royal authority, and firmly relying on your clemency and wisdom, we most humbly beseech your majesty, that you will be graciously pleased to take the premises into your royal consideration; and grant to the people of this province, under their present unhappy circumstances, such relief as to your majesty's wisdom and goodness shall appear most proper.

Signed by order of the House,

JOSEPH GALLOWAY, Speaker.

Philadelphia, Sept. 22, 1768.

*To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.*

The Petition of the Representatives of the Freemen of the Province of Pennsylvania, in Assembly met—humbly sheweth,

That your petitioners apprehend, whenever measures are pursued inconsistent with the principles of that freedom on which the British constitution is founded, it cannot be thought improper to make application for redress to your lordships, the hereditary guardians of British liberty; and, therefore, they beg leave to represent to your lordships the following aggravance, which greatly affects his majesty's most faithful American subjects; and to implore your concurrence, with the other branches of the British Legislature, in relieving them from their present distress.

That the people of this province, gratefully sensible of your lordships' wisdom and justice, in the repeal of the late act of Parliament imposing Stamp Duties in America, were led to hope, that in all future time they should enjoy the right of granting aids to the crown by representatives, constitutionally chosen by themselves—that greatly disappointed in this expectation, they find another act passed in the seventh year of his present majesty's reign, imposing new duties on the people of America, for the purpose of raising a revenue, equally subversive of this right, and tending to render their property most precarious and insecure.

Your petitioners humbly conceive, that it is essential



to the liberties of Englishmen, that no laws can be made to take away their property without their consent. Upon this equitable principle, the security of the subjects estate, whether in the mother country or the colonies, is most justly founded; nor can British freedom or public happiness without it any where exist. Hence the people of this province, by their representatives in Assembly, have ever exercised the power of disposing of their own property; and whenever requisitions have been made by his majesty, or his royal predecessors, for the defence of America, they have most cheerfully and liberally granted their full proportion of aids for that important purpose. This power being founded on the constitution of the government of the province; and having often received the sanction of the crown, and full approbation of the British Parliament, your petitioners hope your lordships will not think any reasons sufficient to deprive his majesty's faithful subjects in this colony of a privilege, so essential to their security and happiness. They, therefore, humbly pray your lordships, to take the premises into your serious consideration; and that you will also be pleased to pursue such measures as you shall, in your wisdom, think most proper to relieve them, and the people they represent, from the aggrievance complained of.

Signed by order of the House,

JOSEPH GALLOWAY, Speaker.

Philadelphia, Sept. 22, 1768.

*To the Honourable Knights, Citizens, and Burgesses of Great Britain, in Parliament assembled.*

The Petition of the Representatives of the Freemen of the Province of Pennsylvania, in Assembly met—  
Humbly sheweth,

That your petitioners, take into their serious consideration the act of Parliament imposing duties on his majesty's American subjects, for the purpose of raising a revenue, and conceiving that the said act is injurious to the rights of their constituents, as well as to the trade and commerce of the British dominions, beg leave, in the most respectful manner, to represent those aggrievances to the Commons of Great Britain, who they trust ever will be the faithful guardians and supporters of British liberty.

In the latter end of the last century, our ancestors, under the permission of the crown, removed from their mother country, and settled in this distant land, then a wilderness. The motives to an enterprise so arduous, expensive and hazardous, were not only to enlarge the British Empire and extend its commerce, but to enjoy that perfect security of liberty to which they were entitled as British subjects in their native land: And, notwithstanding innumerable dangers and difficulties, they have peopled and improved the country into an extensive colony, without the least expense to the mother state, whereby the British Empire has been considerably enlarged, its commerce extended, and its wealth and power greatly increased.

In this removal from their native country, the effects whereof have so manifestly promoted the interest and dignity of the British government, your petitioners conceive they brought over with them the natural and constitutional rights of English subjects, which have descended to, and are now vested in, their posterity, who have by no act whatever forfeited or surrendered them; one of which is, that no taxes for the purpose of revenue can be legally imposed on them, but by representatives chosen by themselves—a right absolutely necessary to the security of their property and estates, and derived to them under the ancient principles of the English government, and which has ever been esteemed the chief pillar and support of all their other privileges, inasmuch as they apprehend they can with no propriety be said to enjoy more than the mere shadow of liberty, while others exercise a power, whenever they please, to take such parts and portions of their property from them as they think proper, without their consent.

In confirmation of this right, a legislative authority, founded on this first and important principle of English liberty, so essential to the happiness of the subject, was early established in this province, under the approbation of the crown. This legislature was vested with full power, not only to support the internal government of the province, but of giving and granting to their sovereign the necessary aids, whenever required, for the general security of his majesty's dominions. To this legislature requisitions have been always for that purpose since the establishment of the present government, particularly in the times of King William, Queen Anne, his late most excellent majesty, and our present most gracious sovereign, and with the utmost cheerfulness and liberality complied with; a part of which has been repeatedly reimbursed by the British parliament.

Under this right, established on the principles of English liberty, on the settled form of their own government, and the uninterrupted usage and custom so often recognized and confirmed by the sovereigns of the mother state, and even by the parliament itself, the good people of this province have settled, and esteemed themselves happy in the enjoyment of that security of property, which they conceive to be most essential to freedom, and without which their other privileges can never be long supported or maintained, until the late act of parliament, imposing a Stamp-Duty on the colonies, which the late Honourable House of Commons, united with the other branches of the British legislature, has been pleased to repeal.

That your petitioners, after the repeal of that act, flattered themselves that his majesty's most faithful subjects in this province, yet labouring under a heavy load of debt, occasioned by their excess in granting of aids to the crown in the last war, would in future be left in the undisturbed possession of this most valuable and important right which their legislatures have exercised so perfectly to the satisfaction of the British government, and general benefit of his majesty's dominions; it therefore gave them inexpressible concern to observe another act passed in a late session of the last parliament, imposing duties on his majesty's American subjects, for the purpose of revenue, and reducing them to the same unhappy condition, from which, by the wisdom and justice of the British legislature, they had been so lately relieved; for we beg leave to represent, that should the parliament of Great Britain continue to exercise a power of imposing taxes on his majesty's subjects who are not, nor can be, represented in your august House, their property and estates must become extremely precarious, as they can have no power to judge of the propriety of those taxes, no constitutional check on the liberality in granting them, no opportunity of pointing out the easiest mode of imposing and levying them, or of explaining their grievances, when they conceive themselves injured or oppressed, without which it appears to your petitioners impossible for the most wise and just legislature to impose taxes with propriety and equity, or with safety to the people who are to be affected by them.

Your petitioners, confiding in the justice of your Honourable House, and your attachment to the principles of liberty, intreat that you would be pleased to take the rights of his majesty's faithful American subjects, together with the said act of parliament, under your consideration, and grant them, so far as is in your power, relief from an aggrievance from which the people of Great Britain are exempted—a continuation whereof, we fear, will create a distinction that must naturally occasion a disunion of interest, sentiments and affections between them, which, in its consequences, may be attended with great inconveniences and mischiefs to the trade and commerce of his majesty's British, as well as American dominions.

Signed by order of the House,

JOSEPH GALLOWAY, Speaker,

Philad. Sept. 22, 1768.

*Letter from the Committee of Correspondence to the Agents in London.*

Philadelphia, Sept. 22, 1768.

Gentlemen, In our letter of the 20th of February last, we communicated the directions of the House, that you would unite with the agents of the other colonies in such measures as might be pursued with respect to the obtaining a repeal of the act of parliament imposing duties on glass, paper, &c. in America.

The Assembly, in their present sitting, resuming the consideration of that act, and continuing of opinion, that it is extremely inconsistent with the rights of the freemen of the province, have thought it a necessary duty to petition the different branches of the British legislature for redress. Those petitions are herewith transmitted, which you are desired to lay before his majesty and the two Houses of Parliament, to whom they are respectively directed.

You will perceive, on perusing the petitions, offered to induce a repeal, are very much confined to the right of the colony in being exempted from parliamentary taxation; little is said on the inexpediency of the regulation adopted by the act, lest seeming to rely on the latter should weaken the arguments in support of the former. However, the House think it necessary to observe, that, were they convinced the parliament had a constitutional right to tax the subjects, which they never can have, in America, yet they conceive the act under consideration is liable to several material objections, founded on the welfare of the mother country, as well as the colonies.

A little attention to the natural effects of the act must show its bad policy. The colonies are prohibited, by divers acts of parliament, from importing commodities of the growth and manufacture of Europe, save from Great Britain, a few articles excepted. They have hitherto in a great measure contented themselves with supplying their wants from their mother country, to the great advantage of her commerce. But should the act be continued, and with it the heavy duties on the commodities therein enumerated, it will naturally induce the Americans, either from the principles of necessity, interest or convenience, to set up manufactories of those articles, and desist from any further importation from Britain. Hence a virtual, if not an actual, repeal of the statute will follow; and instead of leaving the colonies to their natural and proper business, the improvement and cultivation of their lands, and of course increasing the demand for British commodities among them, it will operate as a bounty to raise and manufacture them here, to the great loss of the British merchant and manufacturer.

Another objection to this statute, which is equally applicable to several others, laying duties on commodities for the regulation of trade, is, that they are all to be paid in silver. This restriction, in the payment to one species of currency, has already laid the importers under the greatest difficulties. The balance of trade, in favour of Britain, has already drained the colonies of that article, inasmuch that the merchants can now scarcely collect sufficient to pay the duties; and in a short time it will be impossible to pay them at all, as the colonies have no trade which can supply them with the materials appointed in the act for the payment. A stop to the importation of those enumerated commodities must from thence follow; as no person will choose to give orders for effects, which he will not be permitted to land without paying duties for them in silver, when it is out of his power to procure it.

A third objection arises from the appropriation of the monies to be levied by the act. They are to be applied to the payment of the necessary charges of the administration of justice, and to the support of the civil government, in such colonies where it shall be judged necessary. This regulation, the House apprehends, may be attended with the most dangerous consequences.—

Should the proprietaries of this province, continue to hold the nomination and appointment of the governor, and his salary to be paid by the people, without their consent, be certainly fixed, he will be rendered altogether independent of them; and thereby that check on his conduct, which is necessary to the support and preservation of their rights, be entirely lost.

The establishment of salaries, in the same manner, on the judges holding their commissions during the pleasure of the proprietaries, who are the universal landlords, and must of course have controversies in the Courts of Justice with the people, will be attended with mischiefs little, if any, inferior. In England, and by a late act in Ireland, the judges have independent livings; but the tenure of their commissions is during good behaviour, and they hold estates for life in their offices. Thus they are freed from the influence and controul of power; and under them the people have a rational surety of impartial and upright decisions, in all cases where either liberty or property is concerned. But should the judges of this province, already dependant on the will and pleasure of the executive part of government for their commissions, be rendered altogether independent on the Legislature for their salaries; whenever either weak or bad men may be in office, or the proprietaries or their governors, shall think proper to interfere in judicial determinations, the liberties and properties of the people must be in the most imminent danger, if not totally destroyed.

But the act provides, that the monies shall be applied to the purposes before mentioned, in such colonies where it may be judged necessary. Should it be thought unnecessary to apply any part of it to the use of this province, it must appear, on the least reflection, extremely unjust that the duties levied on the people here, without their consent, should be appropriated to the uses of the other colonies, without our deriving the least benefit from the application.

Should any surplus happen after these purposes are answered, the residue of the monies is to be expended in the general defence of the colonies. But the House cannot conceive that the Parliament can have a right to tax so large a body of the king's subjects without their consent; and had they that authority, they apprehend the people of this province have ever heretofore rendered the exercise of it over them unnecessary, by the liberality of their grants to the crown, whenever required.

Former Assemblies having received repeated proofs, of your warm and steady regard for the just rights and privileges of this, and the other American colonies, the House entertain the fullest confidence that you will pay all due attention to the important matters now committed to your care, by exerting your utmost influence and abilities to obtain a repeal of the before mentioned act, which they conceive to be equally prejudicial to the true interest of Great Britain and her colonies.

They also request that you will not be unmindful of the several matters, heretofore recommended to your particular attention, with respect to the trade of the colonies to Spain, Portugal, the West Indies, &c.; and that you will omit no favourable opportunity of obtaining relief from the many injudicious restrictions, which have been laid on our paper currency, the exportation of iron, and the other branches of our commerce, to the manifest prejudice of both countries—for the particulars whereof, we refer you to our former instructions.

Signed by order of the House,

JOSEPH GALLOWAY, Speaker,  
JAMES PENBERTON,  
WILLIAM RODMAN,  
ISAAC PIENSON,  
JOSEPH FOX,  
JOSEPH RICHARDSON,  
THOMAS LIVEZEY."

From the Pittsburgh Gazette.

## RAIL ROAD FROM PITTSBURG TO OHIO CANAL.

The following is the statement of the estimated length of the proposed Railroad from Pittsburgh to the Ohio Canal, its probable cost, and the amount of freight and travel upon it, which was submitted to the meeting on the 19th and 20th instant, and referred to in our last paper:

The estimated length of the road from this city, passing through Beaver, Pa. to the mouth of the Little Beaver river, up that river to New Lisbon, thence, passing through Canton, to the town of Massillon, on the Ohio canal, including the necessary windings for a railway, is 125 miles. Probable cost of the road, \$18,000 per mile; for the construction of the proposed improvement, a capital of \$2,250,000 would therefore be required.

The following estimate of freight and travel is considered, by gentlemen of experience and observation, to be at least 25 per cent. below the amount which may be reasonably expected to pass on the road, if constructed. It should be observed that no estimate is here made of the two important articles of gypsum and lumber. Respecting the first of these articles, it may be observed, that during the last year there were sold in the town of Massillon over 200 tons; six years since, there were not 5 tons used or sold in the vicinity of that place. From the universally acknowledged utility of this article to farmers, it is not unreasonable to suppose that it will become an important article of trade, should this road be completed. The amount that would probably be sold in this city would not fall far short of 100 tons per month, and the consumption would increase as our farmers became accustomed to its use.

Large quantities of pine boards, shingles, &c. are at present taken from this place to Zanesville, O., and by waggons to that section of the state of Ohio through which the road would pass. These articles would of course also pass on the railway. It is difficult to ascertain their amount, but they would undoubtedly be important items of transportation.

The trade between this place and Zanesville is also not taken into account in the following calculation.—The bulk of it, however, would unquestionably take the route of the railroad and canal, in preference to the present tedious and dangerous route of the rivers.

It will be perceived that it is estimated that all the produce which is now transported via Lake Erie and the New York canal to the city of New York, would take the railroad, and go by our own canal and railroad over the mountains to Philadelphia. This calculation will appear well founded, when it is considered that by the proposed route produce would be in our eastern markets from four to six weeks earlier in the spring, the most important season of the year for the sale of produce—that the dangerous and oft times uncertain navigation of the lake would be avoided; that the price of transportation would be less, and, in relation to the article of grain, that it could come to this city and be floured, at as small an expense as at Rochester, and at a season of the year when it would not be so apt to sour. It should be recollected that grain from Ohio cannot at present reach Rochester until, under the most favourable circumstances, the 15th May.

The data that follow have been drawn up with much care, and, where possible, with reference to official documents.

*Estimate of Freight and Travel on the proposed Railroad.*

Merchandise that would pass from Pittsburgh, per month, at an average of the whole line of the road, say 1,000 tons—per annum 12,000 tons, (of 2,000 lbs. to a ton),

at \$4 per ton, is	\$48,000
Whole quantity of wheat, flour and pork, arrived at Cleveland, O. up to July 1, since the opening of the Ohio canal, say, grain,	bushels 90,510
Less, probable amount shipped to Canada, and which could not be diverted, $\frac{1}{4}$ part,	22,622
	bushels 67,888
At sixty-two pounds per bushel, equals in weight	lbs. 2,269,056
Flour	bbls. 37,236
Less $\frac{1}{4}$ , probably sent to Canada	9,309
	bbls. 27,927
At 214 lbs. per barrel, is	5,976,378
4,072 bbls. pork, at 300 lbs. ea.	1,221,600
	lbs. 9,407,034
But as this amount was received just after the ports had been opened, and of course included the winter's collection, we estimate it as one third of the whole amount received during the year, therefore add twice this amount to estimate the receipts of the entire year,	18,814,068
	lbs. 28,221,102
Other articles received at Cleveland in the month of June, via canal:	
444 bbls. Flaxseed, lbs.	88,800
419 do. Whiskey	125,700
324 casks Linseed Oil	97,200
23 tons (2000 lbs. each	
Pot and Pearl Ashes	46,000
Butter	7,117
Cheese	3,175
	lbs. 367,992
which may be fairly estimated as a monthly average: the bulk of all these articles going forward in the fall, is, per annum	4,415,904
	lbs. 32,637,006
At \$4 per ton of 2000 lbs. is	65,274
The amount of produce that would probably be brought to this city from the following counties in Ohio, viz: Columbiana, Stark, Tuscarawas, Harrison, Trumbull, and Portage, and from Beaver county, Pa. cannot be correctly estimated for want of data, but may be safely calculated to be 1000 tons per month, which, travelling only a portion of the road, is estimated at an average of \$2 50 cents per ton, will be, per annum	30,000
In all these calculations, the transportation of the articles of fish and salt is entirely excluded, but would probably exceed, per annum	12,000
	155,274
To which add 10 per cent. as the increase of trade by the time the road would be completed	15,527
	170,801
Travel.	
Say 100 each way per diem, (a calculation much below probability,) making 208, at an average of \$3 each,	219,000
	\$389,801



Which will be at the rate of about 17½ per cent. per annum on the estimated cost of \$2,256,000.

Extract of a letter to a gentleman of this city, dated

"Massillon, July 12, 1831.

"It is confidently anticipated that 100,000 bushels of wheat will be shipped from this port during the present year. The number of boats on the canal at this time is 47, and we have an average of 40 arrivals from each direction a week, all loaded; and a scarcity of boats for the business that is to be done."

From the Philadelphia Daily Chronicle.

### ROCK BLASTING.

I have observed in the newspapers an account of the death of a workman dreadfully lacerated and bruised by the blasting of a rock.

This and many other like occurrences will, I presume, create sufficient interest in the following communication, to justify its appearance in a newspaper.

I have ascertained that the process for blasting rock may be rendered safer than the firing of a fowling piece, by a new application of galvanism. I was led to make this improvement in consequence of an application by a patentee (Mr. Moses Shaw,) for assistance in perfecting his patented mode of blasting rocks by an electrical discharge from a Leyden Jar.

In a letter dated June 1st, 1831, he says, "I have been engaged in blasting rocks by means of a fulminating powder, introduced into several cavities, and ignited in all of them simultaneously, by a spark from an electrical machine, by which means masses of a much larger size, and of a much more suitable shape, for any object in view, may be procured, than by the old plan. I have, however, to lament my inability to succeed in this method of blasting during a great part of the year, when, in consequence of the unfavourable state of the weather, the ignition cannot be effected by electricity in any mode which I have devised, or which has been suggested by others, although I have consulted all the best informed professors to whom I have had access."

It occurred to me as soon as this statement was made by Mr. Shaw, that the ignition of gun powder, for the purposes he had in view, might be effected by a galvanic discharge from a deflagrator, or calorimotor, in a mode which I have long used in my eudiometrical experiments to ignite explosive gaseous mixtures. This process is free from the uncertainty which is always more or less attendant upon the employment of mechanical electricity for similar purposes.

The expectation thus arising has since been fully verified. I have ignited as many as twelve charges of gunpowder at the distance of one hundred and thirty feet from the galvanic machine employed. This distance is much greater than is necessary to the safety of the operator, as the deflagrator may be shielded so as not to be injured by the explosion, and by means of levers and pulleys, it may be made to act at any distance which may be preferable. There is no limit to the number of charges which may be thus ignited, excepting those assigned, by economy, to the size of the apparatus employed.

These remarks have reference to the principal and highly important object of Mr. Shaw's project; which is, to ignite at once a great number of charges in as many perforations so drilled in a rock as to co-operate simultaneously in the same plan. By these means it is conceived that the stone may be separated into large prismatic or tabular masses, instead of being reduced to irregular fragments of an inferior size. The object to which I propose now to call attention more particularly is a modification of the common process of blasting by one charge, which renders that process perfectly safe.

This part of the subject I shall introduce by premising that almost all the accidents, which have taken place

in blasting rocks, have occurred in one of the three following modes:

1st. The explosion has taken place prematurely, before the operator has had time to retire.

2nd. A premature explosion has ensued from a spark produced by the collision arising from ramming into the orifice of the perforation, containing the powder, the brick dust or sand employed to close it.

3d. The fire not reaching the charge after the expiration of a period unusually long, and the operator returning to ascertain the cause of the supposed failure, an explosion ensues when he is so near as to suffer by it, as in the instance near Norristown, lately published.

The means of communicating ignition, to which I have resorted, are as follows:—

Three iron wires, of which one is of the smallest size used for wire gauze, the others of the size (No. 24) used by bottlers are firmly twisted together. This is best accomplished by attaching them to the centre of the mandril of a lathe, which is made to revolve while the other ends of the wires are held by a vice, so as to keep them in a proper state of tension. After being thus twisted a small portion is untwisted, so as to get at, and divide the larger wires by means of a pair of nippers. In this way the smaller wire is rendered the sole mean of metallic connexion between the larger ones. These are tied in a saw kerf, or made in a small piece of dog wood, to secure them from working; which if permitted, would cause the smaller wire to break apart. At one end, the twist formed of the wires is soldered to the bottom of a tin tube of a size to fill the perforation in the rock to such a height as may be deemed proper. This tube being supplied with gunpowder, the orifice is closed with a cork, perforated so that the twisted wire may pass out through it without touching the tube; at any point above that where the finer portion alone intervenes. To the outside of the tube a copper wire about No. 16 is soldered, long enough to extend to a stout copper wire proceeding from one of the poles of a galvanic deflagrator or calorimotor, the wire passing through the cork, from the side of the tube, is in like manner made to communicate with the other pole. The connexions between the wires, and the poles, should be made by means of soft solder, previously to which we must imagine that the tube has been introduced into a perforation made for its reception in a rock to be blasted. The tin tube may be secured within the rock by the usual method of ramming in brick dust or sand, by means of a punch, having holes for the protection of the wires of communication already described.

The apparatus being thus prepared, by a galvanic discharge, produced by the movement of a lever through a quarter part of a circle, the finer wire is ignited, in the place where it intervenes solely in the circuit, so as to set fire to the surrounding gunpowder.

As the enclosure of the gunpowder in the tube must render it impossible that it should be affected by a spark elicited by ramming, as no means of ignition can have access to the charge besides the galvanic discharge; and as this can only occur by design, without an intention to commit murder or suicide, or unpardonable neglect, it is inconceivable that an explosion can take place in this method of blasting, when any person is so situated as to suffer by it.

It must be obvious that in all cases of blasting under water, the plan of the tin tube, and ignition by a galvanic circuit, must be very eligible.

Mr. Shaw is now in Philadelphia, and I hope he may meet with the patronage which his project merits.

ROBERT HARE.

### PITTSBURG IN 1759.

An acquaintance recently lent us some fragments of the American Magazine, printed at Woodbridge, New Jersey, in December, 1759, and in looking over it our attention was arrested by a letter dated Pittsburg, Sep-



tember 24th, 1759, which we annex.—How short sighted is man! Scarcely sixteen years elapsed from the writing of this letter, before this “formidable fortification” and the country around it passed from the British empire, and became a constituent part of a great and independent republic. Scarcely seventy-two years have yet elapsed, and now this “lasting monument” of the skill of the engineer and the spirit of the troops has already become one of those things that have been. The spirit of improvement and the enterprise of our citizens have almost entirely defaced every trace of this “formidable fortification.” One redoubt alone, of all the results of the labours and genius of Britons, now remains, and it is a circumstance, perhaps, not unworthy of notice, that this *only* remnant of a *British engineer's* works of defence against *French hostility*, is now the peaceful domicile of an industrious and meritorious *Frenchman*—an indefatigable and accurate surveyor and *civil engineer*.—*Gazette*.

*Extract of a letter from Pittsburg, September 24.*

“It is now near a month since the army has been employed in erecting a most formidable fortification; such a one as will to latest posterity secure the British empire on the Ohio. There is no need to enumerate the abilities of the chief engineer nor the spirit shown by the troops, in executing this important task, the fort will soon be a lasting monument of both. Upon the general's arrival, about 400 Indians, of different nations, came to confirm the peace with the English, particularly the Tawas and Wyandotts, who inhabit about Fort D'Etoit; these confessed the errors they had been led into by the perfidy of the French; showed the deepest contrition for their past conduct; and promised not only to remain fast friends to the English, but to assist us in distressing the common enemy, whenever we should call on them to do it. And all the nations which have been at variance with the English, said they would deliver up what prisoners they had in their hands to the general, at the grand meeting that is to be held in about three weeks. As soon as the congress was ended, the head of each nation presented the calumet of peace to the general, and showed every other token of sincerity that could be expected which the surrender of the prisoners will confirm. In this as in every thing that can secure the lasting peace and happiness of these colonies, the general is indefatigable.”

## ANNUAL ORATION

DELIVERED BEFORE

THE ZELOSOPHIC SOCIETY,  
OF THE UNIVERSITY OF PENNSYLVANIA,

*In the College Hall—July 29th, 1831. By Hon. JOSEPH HOPKINSON, L.L.D.*

[Published at the special request of the Society.]

### GENTLEMEN OF THE ZELOSOPHIC SOCIETY:

The association of which you are members cannot be cherished with too much affection and zeal. Its usefulness is not only at once apparent, but is also of a very high order. While, in your hours of severer study you gather the learning of ages, the wisdom of experience, and the bright emanations of genius, in the performance of the duties of your society, you bring these treasures into practical use—you train the powers of your mind to adroitness in intellectual exercises, and give life and force to the acquirements of your more solitary labours. The arm may be strong, and the sword well tempered and sharp, but they will be of little value to their owner, unless directed by practice and skill. The scholar may possess rich stores of knowledge, but they will be as useless to himself and the world, as the boards of a miser, if he have not the further knowledge to bring them into currency in the business of life—to apply them

to the great concerns that engage the attention of men, and govern the fortunes of nations and individuals. The generous but exciting emulation, which stimulates your exertions in your discussions and debates—your eager desire of victory in every trial of intellectual strength and dexterity, will prepare you for the sterner strife you will hereafter encounter in the world—will give you habits of self-command and prudent restraint—will teach you lessons of coolness and moderation, which will give you the full command of all your powers and resources, and preserve you from the dangers of intemperate passions and resources. An inferior adversary, who has a constant controul over his temper, and holds the entire direction of his faculties, will overthrow or elude the utmost efforts of misguided temerity or unguarded violence.

Consider, then, the exercises of your society, as having a more important character, a much higher aim than mere amusement, or the gratification of a boyish vanity. Cultivate them with assiduity and seriousness, as rehearsals of the parts you are to act in the great drama of life—as preparations for the duties and difficulties you must hereafter encounter.

If while the young are employed in the essential and interesting business of education, they would keep in mind the purposes to which their acquirements are to be applied, they would be solemnly and proudly impressed with their importance; and never consider them as laborious impositions on their patience, or intrusive consumers of the season of youth. Look, I beseech you, upon the monuments of industry, enterprise, genius, science and skill, which surround you—see the vast republic of which you are members, ponder on its power, its glories, and its fame; still marching onward with a rapid but firm step, and diffusing prosperity and happiness wherever its exhilarating and benign influence is felt. This is the work of your fathers, who have covered a wilderness with blooming, fruitful fields, and happy smiling faces. But the hands which achieved this glorious work have perished, or are daily perishing, and this beautiful land, with all its bright inheritances, will fall into barrenness and decay, if the hands of the young do not succeed to the labours of the old. Behold the rich and gay cities, that spread their splendid edifices and crowded busy streets along your coasts, holding hourly communion, and profitable traffic, with the most distant regions of the earth. Turn then to the seminaries of learning, the schools of the arts, every where established and flourishing, exalting the character of American genius, and conquering the reluctant respect of the old world. Above all—give a deep attention to your political institutions; to the beautiful, just and rational scheme of civil and religious freedom, which your forefathers won with suffering, and toil, and blood; which they constructed by their wisdom, and deserved by their virtue. Look with an earnest and true reverence to these things, and *remember—to you* they will be entrusted; they are the inheritance prepared for you—by you they are to be preserved or lost—in your hands they will live, flourish, and increase, or perish forever. Do not your bosoms glow and swell, with conscious importance, at this anticipation of what will surely come, and quickly too? It is to render you worthy of this high destiny—it is to enable you to discharge these transcendent duties—it is that you may transmit to your posterity improved, or at least unimpaired, these inestimable gifts, this fair and harmonious fabric of human happiness—that your wise and anxious parents offer you the treasures of education, that your faithful tutors labour to enlighten and instruct you, in all that may fit you for the dignified stations you are to occupy. When I have seen even an infant school bursting from its confinement, and joyously pouring into the street, it has occurred to me, that all the power and knowledge, the ambition, the grandeur and business of the world will soon depend upon “such as these”—upon these laughing, noisy, unconscious urchins, who now think nothing valuable or

important but their daily sports, nothing grievous but their books and tasks.

The defects of an American education, have long been an untiring theme of reproach upon our country, with our European enemies, who, fearing the influence of our free institutions, and envying the condition of this happy people, endeavour thus to mortify and degrade us, to console themselves, and weaken the influence of our example. The reproach is as unjust as it is illiberal. It may be granted to our accusers, that we are not able to contend with them in the fields of accurate and extensive learning; of profound and abstruse science. Our education has not, generally, been of a character to make scholars of the first grade. But it by no means follows, that the education of this country has not been just what it ought to be; not that it furnishes a proper subject for derision or reproach. There is no fixed and absolute standard or measure of instruction applicable to all periods and circumstances of a people's existence. Education must necessarily have a relation with the state of society, and the wants and conditions of the community, for which it is intended as a preparation. That which would be a proper and perfect education in one country, for a people in one situation, would be absolutely useless, and in truth, no education at all, in another country, or for a people in a condition totally different. To educate a young man, is to form his mind, and manners, and to give him such knowledge and attainments, as will qualify him for the part he is afterwards to take in life. That, therefore, is clearly the best education, which most perfectly accomplishes this object. The standard is one thing for uncivilized man, and another for his highest state of refinement, gradually changing in the progress from one to the other; that being always the best, which is best adapted to his condition and wants. The education of a savage should make him fearless in war; ardent and skilful in the chase, capable of enduring hunger and fatigue, an exposure to the seasons, and physical privations and sufferings of every description. A *Porson*, or a *Parr*, would be as helpless as infants in such a state of society—they would be scorned for their incapacity; they would be justly considered as men destitute of education, and starve from sheer ignorance. To course the buffalo and deer through the thick forests and boundless prairies; to strike them with an unerring shaft; to track the lurking enemy, and surprise him with the yell of death; to guard with unsleeping vigilance against the dangers which surround him, by night and by day; and to provide, from hour to hour, for the necessities of nature, are the objects of the education of a savage, because they are the business of his life; and to excel in them, is the evidence of the highest improvement he should aim at, or can achieve. The injustice and absurdity of condemning the "poor Indian," because of his ignorance of the arts, refinements and sciences, is obvious and unquestionable—would to heaven this were the only injustice we have to answer for to this feeble, sinking, ruined race! Their scattered remnants, their wasted forms, their extinguished energies, their broken hearts, tell a tale of misery, which surpasses the fictions of romance. When and where will their injuries and their sorrows end? Only in the abyss of extermination!

Unjust too are the arrogant and bitter sarcasms with which the people of these United States have been assailed by the travellers, politicians, book-makers, and journalists, of Great Britain. They assume their standard of excellence to be infallible and universal, and condemn, without measure or mercy, every deviation from it. The routine of their schools, is the only means by which education can be obtained—the lessons there taught, the proficiency there made, are the indispensable requisites of an educated man. Had these critics and censors any disposition to be kind or just to us, it would have occurred to them that the wants of a new country, just emerging from its primeval state, called for a course of exertion and instruction widely different from those

which are suitable for the inhabitants of the old world. Here the active industry, and productive labour, of every individual was put in requisition, and his scholastic studies terminated, of necessity, at an age, when, in Europe, education was so far from being finished, that it was scarcely begun. As soon as a young man had obtained a very general and imperfect acquaintance with the learning of the schools, he was called into active life—he was compelled to seek the means of living, and to contribute his industry and talents to the general stock of improvement. He was withdrawn from his college to be seated at the desk of a counting house; to pore over ponderous volumes of law or physic, or to be engaged in agricultural or mechanical employments. Such were his occupations, at a period of life, when in England he would have been toiling at the forms of a grammar school. The consequence is obvious. Our youth would far surpass those of Europe, in the precocity and variety of their attainment—in the versatility and promptness of their faculties—in the command of their resources; and the facility of applying their powers, physical and intellectual, to any subject. On the other hand, they would be deficient in the refinements of learning, in the extent and exactness of their knowledge—in the habits of a fixed and systematic course of study—in the more abstruse branches of science; and, generally, in any eminent success or distinction in such pursuits. But, who can infer from this, that the American mind is inferior to that of Europe—that American genius cannot soar as high, and delve as deep as the proudest asserters of European superiority? That our education has been well adapted to the emergencies of our country, and fully equal to them, is placed beyond the reach of cavil or doubt, by our splendid and unexampled success in establishing, extending, maintaining, and improving, this great empire. Has it been by an inferior race of men; by dullness and incapacity; by inadequate means, natural or acquired, that these United States have grown, in half a century, to a strength and importance, which place them in the first rank of the nations of the earth? Has it been by imbecility and ignorance, that our agriculture, our commerce, our manufactures, our political power and influence, stand in a confident competition with the best efforts of the old world? When and where have the American intellect and energy come into comparison or collision with those of Europe, that they have not sustained themselves with equality, at least? In the sagacity and exercise of commerce—in the boldness, science and skill of navigation—in quickness of invention, and capacity to improve—in every department of industry and art—where is the people who will now presume to claim a *precedence*? We can advance and support still higher pretensions to respect and eminence. You will not fail to make yourselves acquainted with the history of your country—most especially from the period of its independence. You will often pause with swelling pride and pleasure, over the pages which record the just and noble sentiments—the manly and unflinching representations of oppressions—the enduring and heroic fortitude—the unanswerable arguments—the extensive knowledge, and the inspiring eloquence, with which your ancestors asserted their rights, and your rights, against the subtlety of corrupt politicians, and menaces of power. They dissipated the shallow sophisms of oppression, and defied its terrors. You will ask, indignantly, is it possible that such men have been branded as a degenerate race; feeble in body, more feeble in mind; without courage, incapable of any elevation of soul or sentiment, and doomed to creep humbly at the feet of the man of Europe? You will pursue this inquiry with increasing amazement and sensibility, as you pass down the eventful story of your country's difficulties, struggles and triumphs. You will find her just emerging from the exhausting losses and sufferings of her revolution; just coming into shape, order and consistence; with her political institutions hardly formed, and wholly untried,

encountering the convulsive fury of the French revolution, which overthrew or shook to their foundation the oldest and firmest governments of Europe. We were called upon, suddenly, to defend our rights as an independent people—to understand with precision their limits—to support them with dignity and courage, but with infinite discretion and sagacity. You will carefully peruse the volumes of diplomatic correspondence and controversy, which passed between your government and those of the two great contending powers, England and France; and you will be lost in admiration of the accurate and extensive knowledge of your ministers, at home and abroad, of the most complicated questions of international law; at their consummate prudence and unyielding firmness, in conducting their argument; and at the clear and final victory obtained by them on every point in dispute. By their wisdom and firmness, we were kept out of the awful vortex, which swallowed kingdoms and people with an insatiable appetite. In this long and hazardous crisis, through which we were preserved by the steadiness and talents of our statesmen, you see them engaged in a conflict of hearts and heads, in a trial of intellectual resources, in the practical use of knowledge and skill, with adversaries of distinguished celebrity and power; and the issue of this intellectual warfare, added fresh and unfading laurels to the brow of our republic.

In what then, you will ask, shall we find the admitted difference between the American and European education? It is in what we call *scholarship*—in the excessive refinements of critical learning—in the more profound researches of the abstruse sciences—in an exceeding accurate knowledge of things, some of which are rather curious than useful; ornamental indeed, to the finish of a cultivated intellect, but not indispensable to its power. But these acquirements, honourable indeed, are not the evidence of any superiority of mind or genius, or of more energy of character or temperament, but are attained by a long, patient, and exclusive devotion to certain subjects. There exists in Europe a distinct class of learned men, who are separated from the ordinary occupations of life, who have no employment but daily and nightly, through a long course of years, to bestow all their force and attention, each to his particular pursuit; and the result of such concentrated efforts, must be an exactness and extent of information, not to be acquired where almost every individual must occupy himself primarily to obtain the means of living, and can give only a few hours, stolen from this imperious demand, to books and study. In a country, where to provide for the wants of a family is the first object of attention and duty, and to indulge in the luxuries of learning a secondary consideration. When we see the American scholar labouring under such disadvantages, we should rather be surprised that he had done so much, than reproach him for his deficiencies. Nothing but a true and ardent thirst for knowledge, with an industry that never tires, could carry him to the attainments he actually reaches.

But while I would defend those who have gone before you, from unmerited censure, you must not believe that I have any disposition to undervalue the character of a scholar, or justify any neglect on your part to obtain his highest honours. The apology for past defects exists no longer, and goes no further than the causes which have produced them. They have diminished, and are daily diminishing. We cannot much longer claim the privileges of a new country. You are not pressed by the same necessities, which prematurely drew your ancestors from the schools of learning and the groves of philosophy; and if you fail to illustrate the fame of your country, by the achievements of erudition and genius, you will want a justification for the delinquency. From you much will be required by your country, your family, and your friends. *They* have done much for *you*, and have a right to demand at *your* hands a just retribution. You are to be the guardians of the

honour, the happiness, and the reputation, of this great and prosperous people—you are like true knights, "without fear and without reproach," to maintain their claim to excellence in every thing that dignifies, improves and adorns the condition and nature of man. As you surpass the people of other countries in the security of your rights—in the freedom and liberality of your political and religious institutions—in the full enjoyment of rational liberty, and the unconstrained exercise of your talents and industry; so you must not be behind any, in the elevation and purity of your moral character and conduct—in the lofty and luminous attainments of genius—in the profound and invigorating researches of science, and the most recondite recesses of learning. Your fathers have, in a few years, overthrown a thousand prejudices, and lived down a thousand calumnies against their country—it is for you to advance further in this strife of patriotism and honour, and to tear laurels from heads, that are now carried with supercilious scorn of your capacity and pretensions. Already has Europe been enlightened by the emanations of American genius—American books are sought and read—American knowledge received and respected. Our journals of literature and science, furnish copious extracts for republication—sometimes acknowledged, and sometimes plundered by the mean hand of a pilferer, who steals the treasure and defames his victim. You will avenge these wrongs by your glory—you will silence calumny by your virtue, and prejudice by your triumphs. Historians, philosophers, orators, poets, are budding forth from the soil of freedom, who will emblazon the fame of their country, and raise it above the gaze of envy and the voice of slander.

But to accomplish this great design, to fulfil this splendid destiny, strenuous and unwearied efforts are required. Such a race is not to be won by conceit or indolence. Nothing great can be achieved without labour and perseverance. The idle, who cannot be roused to exertion: the inconstant, who cannot continue it; the votary of pleasure, who avoids and shrinks from it; will forever fail in this noble career. Let me warn you of another danger that has often deluded the youth of lively parts, and brought many to disappointment and ruin who might have been crowned with honor and success. I allude to such as rely upon what they suppose to be *genius*, and believe it will be all sufficient to accomplish their wishes, and bring them to eminence without the pains and privations of study; without the constraints of systematic instruction, and the slow progress of regular improvement. This is a fatal error—the sallies of lively fancy, the exuberances of an active and a fertile imagination are mistaken for effective powers, universal in their application, capable of conquering every thing by their own force, and of carrying their possessor to the goal of his ambition, without extraneous aids. How many have awakened from such flattering visions too late to avoid their consequences, to regain the only path that can lead them to success. It is, on the other hand, certainly true, that a high and respectable standing in any profession, may be attained, without extraordinary and brilliant faculties, by a clear and sound mind, capable of continued application, and willing to submit to a regular and judicious discipline of study. Examples are numerous of aspirants of such intellects, and habits far outstripping what are called *geniuses*, at the end of the course, however, in the beginning, appearances may have favoured the more volatile spirit.

*Parents and Guardians* of our youth allow me to address a few words of admonition to you. Remember that you have entrusted to your care the *crown jewels* of your country; that you are held in a solemn duty to that country, as well as to your children, to neglect nothing that education can give, to prepare them for the field of action in which they are hereafter to appear, in parts of usefulness and honour, or insignificance and contempt, *as you shall deal with them*. Remember it is for you to prepare them to be virtuous and efficient mem-



bers of a great commonwealth, who will require all their faculties in her service, and will reward them with all her honors. The trust is betrayed—irretrievably betrayed, when education is narrowed or withheld on the false and flimsy pretext that they are intended for a sphere in life in which a complete education will be useless or unnecessary. Forget not that the youth of America are not doomed by any circumstances of birth or fortune, to walk through life in a circumscribed, obscure and inglorious path. Every avenue "to honour and wealth lies at his feet, and invites his step. Every excitement that can stimulate a noble and aspiring heart urges him to advance." He is bound down to no fixed occupation or pursuit. He may change the object as his pleasure, his interest or his ambition may prompt. I may repeat what I have earnestly said, on another occasion, "he may begin life in a counting house, and end it on the bench of justice—in his youth he may be engaged in some mechanic art, and at a mature age, find himself leading the councils of his country, or teaching the sublime truths of religion from the altars of his God."

The father of Daniel Webster was the cultivator of a few acres in a remote and obscure corner of the Union. He supported himself and his family by his personal labor; literally by the sweat of his brow. To a selfish and short-sighted view, his son was destined for no higher employment; and had his father reasoned as selfish and short-sighted parents do, he would have thought it to be time and money thrown away, to have given his son an education beyond the wants of his situation, and would have hurried him from his grammar and arithmetic, that he might have the benefit of his labor in the corn field. But he neither reasoned nor acted thus. He was worthy to be the father of such a son. He afforded him the best and fullest instruction. What a harvest did this wise and excellent parent reap. When his son rose to the high eminence he occupies, with what a conscious and noble pride, with a heart overflowing with rapture, he could say—This is the fruit of the labor of my hands; this is the reward of my affection and care. The boy of the woods is the man of the nation; giving honour to his country, and receiving it from her, his fame and her fame spread together to every part of the civilized world. Who would deprive a son of the chance of such distinction, for a year more or less at college? Who would deprive himself of the possibility of such a gratification for a sordid calculation of the time and expense of such an education.

To recur again to the address from which I have already quoted—"the American parent does an injustice to his child which he can never repair, for which no inheritance can compensate, who refuses to give him a full education, because he is not intended for a learned profession—whatever he may intend he cannot know to what his son may come; and, if there should be no change in this respect, will a liberal education be lost upon him because he is not a lawyer, a doctor or a divine? Nothing can be more untrue or pernicious than this opinion. It is impossible to imagine a citizen of this commonwealth to be in any situation in which the discipline and acquirements of a collegiate education, however various and extended, will not have their value. They will give him consideration and usefulness, which will be seen and felt in his daily intercourse of business or pleasure; they will give him weight and worth as a member of society; and be a never failing source of honourable, virtuous and lasting enjoyments under all circumstances, and in every station of life. They will preserve him from the delusion of dangerous errors, and the seductions of degrading and destructive vices. The gambling table will not be resorted to, to hasten the slow and listless step of time, when the library offers a surer and more attractive resource. The bottle will not be applied to, to stir the languid spirit to action and delight, when the magic of the poet is at hand to rouse the imagination, and pour its fascinating wonders on the soul. Such gifts, such acquisitions, will make their possess-

or a true friend, a more cherished companion, a more interesting, beloved and loving husband, a more valuable and respected parent.

GENTLEMEN,—My design in this address has been with the earnestness of a friend, and in the most familiar tone of counsel, to point out to you the true objects of your ambition; to remind you of the high duties and responsibilities imposed upon you, and to stimulate you by the most urgent and honorable inducements to the performance of those duties, to the full accomplishment of your high destinies, and the gratification of the hopes your country and friends entertain of your future eminence and usefulness.

### TAXING THE NAVY YARD.

The dispute which has long existed in relation to the non-payment of taxes by the Navy Yard, having created dissatisfaction, a resolution was passed by the corporation of Southwark, requiring the opinion of the solicitor on the subject, and on the reading of the same, it was on motion, unanimously ordered to be published.

T. D. GROVER, President.

### OPINION.

*To the Honourable Board of Commissioners of the District of Southwark.*

GENTLEMEN—In compliance with a resolution communicated to me of your honourable body, "requesting the opinion of the Solicitor respecting the cession of the jurisdiction of the Navy Yard to the United States, so far as the same respects the exoneration from the payment of taxes," having considered of the subject, I respectfully submit the result of my investigation.

The question would seem naturally to branch itself into a two-fold division; first, whether the legislature of Pennsylvania possessed a constitutional right to make the cession under contemplation; secondly, admitting the constitutionality of the cession, whether by its scope and tenor the right to taxation of the Navy Yard was extinguished. The movers of the resolution, however, having conceded, and very judiciously, the constitutionality of the legislative cession, I shall confine myself exclusively to the second proposition—the import of the cession—Do, then, the terms of it exonerate the Navy Yard from taxation?

What is the language of the legislature? That "all the jurisdiction, right, title, property and interest of this Commonwealth, over, in and to the territory now in the possession of the United States and occupied as a Navy Yard, &c. is hereby ceded and conveyed, together with all the buildings, &c. to the government of the United States;" reserving a right to re-assume jurisdiction over the same when it shall have ceased to be occupied for the purpose of a Navy Yard, with a proviso for the execution of all civil and criminal process therein, to prevent its becoming a sanctuary for offenders and a refuge for fugitives.

In my opinion then, when the legislature thus surrendered "all the jurisdiction, right, title, property and interest of the Commonwealth," it also included *ipso facto*, "all the jurisdiction, right, title, property and interest of this Corporation." The Constitution of the United States, (Sect. VIII. Art. 1.) declares that Congress shall have power "to exercise exclusive legislation over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of Forts, Magazines, Arsenals, Dock Yards, and other needful buildings;" therefore agreeably to this clause of the Constitution, not only by this express legislative surrender of the territory, but even from the time of the assent of the state to its purchase by the national government, the Navy Yard in the district of Southwark became to all intents and purposes as much the independent territory of the United States (with the exception of the reservations before mentioned) as the Arkansas, Michigan, the District of Columbia, or any other territory possessed by them: it was a complete



ouster of all state jurisdiction, a perfect, absolute and entire ademption of all state sovereignty over the place. By the cession, therefore, of the legislature of "all jurisdiction," and the assumption of the federal government of "exclusive legislation," the right to taxation both by the State and by this Corporation, a creature of its sovereign—the state, is, I think, undoubtedly comprehended, and intended to be embraced; taxation, unquestionless, being a portion of jurisdiction and a branch of legislation, and undeniably included in the words "ALL jurisdiction," "EXCLUSIVE legislation."

The absolute and entire divestiture of all state control appears to me, from the unambiguous language of the Constitution, so demonstrative and self-evident a position as needs no support of the corroboratory citation of authorities.

I might multiply them with facility, but shall content myself with a brief quotation from the opinion of Judge Story, in the case of the United States v. Cornell—2 Mason's Rep. 63. The constitutional learning of a Judge who so brilliantly ornaments the illustrious bench of which he is a shining and conspicuous member, it were superfluous to eulogize.

"Whenever," says Judge Story, "a purchase is made of land for forts, magazines, &c. by the national government, and the state legislature has given its consent to the purchase, the land so purchased by the very terms of the constitution, *ipso facto* falls within the exclusive legislation of congress, and the state jurisdiction is completely ousted. This is the necessary result, for exclusive jurisdiction is the attendant upon exclusive legislation: and the consent of the state legislature is by the very terms of the constitution by which all states are bound and to which all are parties, a virtual surrender and cession of its sovereignty over the place. Nor is there any thing novel in this construction. It is under the like terms in the same clause of the constitution that exclusive jurisdiction is now exercised by congress in the District of Columbia.

The state therefore being divested of all jurisdiction, and the United States possessing "exclusive legislation" over the Navy Yard, I am of opinion, that no act of legislation can be exercised over it by this state, nor consequently by this corporation, which is subordinate to and a creature of the state and bound by all its constitutional acts: the conclusion then is syllogistic, this corporation can exercise no act of legislation over the Navy Yard, as the United States possess the "exclusive legislation;" taxation is an act of legislation, therefore they can exercise no right of taxation over it.

I am, gentlemen, most respectfully your obedient servant,  
PARSEY OAKFORD.

### GRANT'S DEFEAT.

The following account of this unfortunate affair, is more particular than any account we have seen—it is extracted from the Pennsylvania Gazette, Oct. 12, 1758.

ANNAPOLIS, Oct. 5th.

We are informed by a letter from Frederick county, that on Monday the 11th of September, Maj. Grant of the Highland regiment, marched from our camp on the waters of the Kickiminita's, with 37 officers, and 805 privates, taken from the different regiments that compose the Western Army, on an expedition against Fort Duquesne.

The third day after their march, they arrived within 11 miles of Fort Duquesne, and halted till 3 o'clock in the afternoon; then marched within 2 miles of Fort Duquesne, and left their baggage there, guarded by a captain, 2 subalterns, and fifty men, and marched with the rest of the troops, and arrived at 11 o'clock at night upon a hill, a quarter of a mile from the Fort. Major Grant sent 2 officers and 50 men to the Fort, to attack all the Indians, &c. they should find lying out of the Fort; they saw none, nor were they challenged by the centries. As they returned, they set fire to a large

stone house, which was put out as soon as they left it. At break of day, Major Lewis was sent with 200 men, (royal Americans and Virginians,) to lie in ambush a mile and a half from the main body, on the path on which they left their baggage, imagining the French would send to attack the baggage guard and seize it. Four hundred men were posted along the hill facing the Fort, to cover the retreat of Capt. M'Donald's company, who marched with drums beating towards the Fort, in order to draw a party out of the Fort, as Major Grant had some reason to believe there were not above 200 men in the Fort, including Indians; but as soon as they heard the drums, they sallied out in great numbers, both French and Indians, and fell upon Captain M'Donald, and two columns that were posted lower on the hill to receive them. The Highlanders exposed themselves without any cover, and were shot down in great numbers, and soon forced to retreat. The Carolinians, Marylanders, and Lower Countrymen, concealing themselves behind trees and the brush, made a good defence; but were overpowered by numbers, and not being supported, were obliged to follow the rest. Major Grant exposed himself in the thickest of the fire, and endeavored to rally his men, but all to no purpose, as they were by this time flanked on all sides. Major Lewis and his party came up and engaged, but were soon obliged to give way, the enemy having the hill of him, and flanking him every way. A number were drove into the Ohio, most of whom were drowned. Major Grant retreated to the baggage, where Captain Bullet was posted with fifty men, and again endeavored to rally the flying soldiers, by entreating them in the most pathetic manner to stand by him, but all in vain, as the enemy were close at their heels. As soon as the enemy came up to Captain Bullet, he attacked them very furiously for some time, but not being supported, and most of his men killed, was obliged to give way. However, his attacking them, stopped the pursuit, so as to give many an opportunity of escaping. The enemy followed Maj. Grant, and at last separated them, and Capt. Bullet was obliged to make off. He imagines the Major must be taken, as he was surrounded on all sides, but the enemy would not kill him, and often called to him to surrender. The French gave quarters to all that would accept it.

### LAW CASE.

*Qui Tam Action.*—The Mayor, Alderman and Citizens of Philadelphia, vs. John Barnes, George Roseman, Edw. Johnson.

Defendants were charged with occupying stalls or stand in the Jersey (High street) Market, as regular butchers, under the pretence of being farmers, which stalls or stands are set apart by the ordinances of the city expressly for the use of farmers.

Penalty five dollars.

The prosecution was conducted by David Paul Brown, S. Brashers, and A. T. Smith, Esqrs.

C. J. Ingersoll, Esq. for defendants.

The case came up before the Mayor on Monday last, and as it excited considerable interest, the office was crowded with spectators, generally, of course, *butchers and shiners*. The butchers being unable to obtain the protection from councils, which they have asked for, seem resolved to keep a sharp eye on all shiners, and, whenever practicable, arraign them for a violation of the existing ordinances.

A number of witnesses were examined, of whose testimony we took copious notes. It was proved that the prisoners constantly attend market, and demean themselves in all respects as regular butchers—that they occupy stalls in the Jersey market appropriated by law to farmers—that they purchase cattle on this side of the river as well as on the other—that they reside in or near the city of Camden—that they kill in Camden, and bring their meat to market, under the pretence of being farmers. It was also asserted by some of the wit-

nesses, that neither of the prisoners at this time own or occupy farms, sufficient for the purpose of raising cattle.

The examination of witnesses on the part of the prosecution was closed, but the counsel for the defendants not being prepared for defence, the trial was postponed till some time in September.

Mr. Ingersoll gave notice that his defence would rest principally on the ground of the defendants possessing land and being farmers.—*Sat. Eve. Post.*

For the Register of Pennsylvania.

## THE ALCHEMIST.

No. XXVI.

### ON AMERICAN CRITICISM.

Now I have spent my choler, spilt my gall,  
And feel more placid, I shall nought recall,  
Write, rave, blaspheme; I do despise ye all.

*American Bard's. A Satire.*

I CONFESS I am disgusted with the ferocious and malignant style in which much of the criticism of the day deals with those unfortunate individuals who attempt to amuse the public with their efforts at poetry. In handling the works of those whose reputation is already established, we observe something like attention to the rules of ancient criticism and modern politeness; but when the reviewer gets hold of an obscure writer or one whom he chooses to consider as a dunce, those principles of conduct by which we are taught as a duty to avoid unnecessarily wounding the feelings of our neighbour, seem to be entirely dismissed from the mind, and the unfortunate author is handed over to bull dogs to be baited, with as little remorse, as if, instead of being a harmless prosier, he were a high offender against the peace and welfare of the community. He seems to be, habitually and as a thing of course, regarded as a criminal. "*Judex damnatur cum nocens absolvitur*," is a motto which has not adorned the front of a celebrated journal without a clear application and a steady, unsparing enforcement. The unlucky wretch who is guilty of dullness, or, what is the same thing, who belongs to a different political party, or has given private offence to one of the leading reviewers, is not even held entitled to the refinements of modern penal jurisprudence. Unlike the murderer, the offending scribbler, thus tried and condemned without a jury of his peers, is subjected not only to execution but to the torture; the utmost ingenuity of authorship being tasked to inflict the rack more severely, and to awaken the feelings of the lacerated sufferer to the utmost pitch of torment.

Of this it would not be difficult to cite abundant instances. I shall not, however, occupy time with quoting what is so very familiar. It is still harder, that the unfortunate writer has to submit not only to the stings of wit and genius, but to the coarse and blundering assaults of rival dullness. It is some satisfaction to have it said, "*Enix magni dextrâ cadis*," The pangs of the wound are greatly softened by the fine edge and delicate polish of the weapon; and even the sufferer, if nature and education have endowed him with taste, can occasionally derive some pleasure from the grace and dexterity with which it has been wielded. Of this he is deprived when the attack is made by an inferior hand and with an imperfect instrument. Thus the rusty, jagged and

shapeless blade of the Malay kreese, roughly hammered out of soft iron, inflicts an incomparably more painful and rankling wound than the finest scimitar of Damascus. A tolerable example of the temper with which one unsuccessful writer occasionally views his fellows, may be found in the verses I have appropriated as a motto. They are selected from a recent production which has lately fallen under my eye, not certainly from their intrinsic poetical beauty, or their grammatical correctness, but from their affording a fair specimen of the virulent style, and sufficient to exemplify what I have in view. What can there be in the transitory poetry of the day to justify the expression of such emotions? Is it possible that the mere fact of having written a number of poetical pieces, of various merits and demerits, the majority certainly not inferior to those of the author who expresses himself in this vehement manner, can ever justify professions of hatred and contempt, and the use of reproachful and insulting language, such as by unanimous consent is forbidden in society?

We have heard of a politician, who, in the heat of an angry debate, was unceremoniously addressed with the significant words, "You lie." Our citizen was not deficient in that virtue, so necessary to a statesman, self-command. "Stop there!" he said, "Let us argue that! If you will only listen to me, I will undertake to convince you that I did not lie!" In imitation of this reasonable disputant, I will endeavour to point out some of the arguments which might be used by an unlucky dunce alleged to be taken in the act of violating the good taste of the community by the perpetration of perfectly detestable verses, in order to protect himself against the severity of criticism and disarm the anger of the outraged public. He should move court in mitigation of sentence; and then represent that in reality the injury to the commonwealth was not by any means so great as has been represented. The writing of bad poetry "breaks no man's leg, nor picks his pocket." His wares are put in the market precisely as is done with any others, and there exists no more reason why a man should be punished for offering bad poetry for sale than for keeping cloth of an inferior quality, or selling a badly made coat. "Caveat emptor." No man is obliged to buy. He who purchases takes the article at his own risk, and if he "like not the tragedy," he may throw it down. Besides, even if the individual who has bought a volume think himself under obligation, from the incidental circumstance of having purchased it, to peruse the whole, and be thereby put to serious loss and damage of his time, yet even then, it may be considered that the amount of the latter consumed is usually small, that it is not always certain that said time would otherwise have been better employed, and that it is not improbable that a considerable proportion of the readers who shall so act, will not receive any very acutely painful sensation from the violence thus done to their good taste. He may besides plead his utter innocence of any evil design in the production of the poetry in question; he having sincerely intended to write only that which was really good and sufficient for the public taste, and bona fide entertained the opinion, at the time of publi-

cation, that the verses in question did really possess the adequate merit to which we have here alluded. Nor could, I think, a reasonable court fail to admit that these pleadings would greatly abate their estimate of the extreme criminality of the action.

But to drop the impersonation of the unhappy culprit, I will proceed, in my own proper style, to express the reasons why I think acrimony in judging of even bad poetry unsuitable and unbecoming. The writing of poetry is essentially a noble and honourable task. It is an attempt to communicate an innocent and elevated pleasure; and is rarely executed without a simultaneous effort to improve, or at least to refine the mind. He who eminently succeeds in it has been held in honour in all ages of the world. As has been lately remarked by a critic, in speaking of Lord Byron, the death of a great poet is felt as a more personal loss, by each member of the community, than that of any man of political distinction. The successful and celebrated bard winds himself into the feelings of the reader, supplies him with new ideas, and awakens his most concealed sympathies; filling, in short, the place of a private friend. Such an individual then, is not only honoured but loved. He contributes largely to the enjoyment of his fellows, and is accordingly rewarded by them. Now, what is the extent of the offence committed by an unsuccessful imitator? Led by that very common, if not almost universal source of error, an undue estimate of his own powers, he has undertaken to amuse the public! he has attempted to give a refined and honourable pleasure! he has had the presumption to think that what cost him labour and time, is worthy to fill up a few of the idle moments of others, and he has accordingly induced a bookseller to multiply copies of it, and make their existence known! For this imprudence he is punished by disappointment; he experiences the mortification of neglect; he finds that what cost him so much trouble and was taken to be the offspring of a moment of high inspiration, is not considered by the public as worthy of the languid glances of a few unemployed minutes; he experiences the silent and cutting conviction of his inferiority in natural faculties and influential rank to the writers whom he had hoped to equal if not to excel. And, to aggravate his misfortune, he is an individual belonging to a peculiarly sensitive class; it has been for years his professional task to excite and to preserve in their utmost acuteness all those emotions of his mind, which the habits of ordinary business are calculated to blunt. In order to work upon the feelings of others, he has intentionally kept his own sensations of pain in the liveliest exercise. "*Si vis me flere, dolendum est Primum ipsi tibi*," was the precept of the critic; and he has put it in the most complete execution. To find himself, in addition to this, treated, and that habitually, with a rudeness of language and style which implies that he is not considered entitled to the ordinary respect due to a gentleman, is indeed additionally wounding to the individual himself, but, as there is no retaliation, is not very honourable to the manliness of the reviewer.

If we examine the office and duty of the latter, we

shall not, I think, find any new motives to confirm us in our admiration of the brutal style of criticism. The general obligation of a reviewer or other critic, as I understand it, is not to *punish*, but to *discriminate*—he is not employed as an executioner, nor even as a constable, but as a judge. The importance of his office is certainly very great. The larger mass of the reading public are too much occupied with business or amusement to be able to peruse more than a very small portion of the books that come out; and the influence which may be exerted on the selection of those they do read, by a critic, himself generally attended to, and speaking with the authority conferred by talents and learning, must naturally, till it meets with contradiction, be almost unbounded. And when an authority of this class does clash with its competitors, it is generally about the works of individuals who are the political or other rivals of the editors; leaving the great mass of literature to the operation of ordinary causes. The public are habitually influenced in their opinions by these tribunals to a very great degree indeed, and consider their perusal as a short cut to a great amount of knowledge, which most persons have no time to acquire in any other form.

Of how much importance, then, is it that these duties should be faithfully performed. From how much useful knowledge or agreeable reading may an unfaithful reviewer debar us, as effectually as if by the combustion of a library! By the simple disapprobation of an influential tribunal, the public are prevented from inquiring; there is no appeal, and all future efforts of the same author are blasted with the reproach of dullness, and almost deprived of the utter possibility of a retrieval.—Now, when we reflect upon the ordinary progress of authorship, this will appear manifestly unjust. There are scarcely any instances of an author having met with brilliant success in his first attempt. Voltaire, Pope, Byron, and a number of others who afterwards reached the highest distinction, met at first with disheartening failures; and had they been crushed in the bud, had excessive severity succeeded in discouraging them from all future efforts, I will not now say what a loss to mankind! but what a shameful injustice to the youthful aspirants!

It is time now to draw this essay to a conclusion; and I will only recapitulate by saying, that I do not mean to object to candid and rigid criticism; but only to the manifestations of ill-nature, cruelty and a partisan spirit when the task is executed. I maintain that justice should be done to the merits of the weakest writer whenever his productions are noticed at all; and that bitter and sweeping condemnations of the whole of a candidate's productions are just as unsuitable to the true character of criticism as those nauseous and inflated panegyrics, which we occasionally find inserted in the daily sheets, to aid in the circulation of trash and mawkishness. Dullness and imbecility should undoubtedly be discouraged from wasting their own time and that of the public; but the censure should be founded upon the real merits of the case, and not depend upon political partisanship, the wishes of a bookseller, or the personal



dislikes of an editor. And above all things, critics, in the utmost severity of their indignation, should never forget that they are bound as much as any other mortals by the common rules of humanity and politeness. P.

### STATEMENT OF CRIMES.

Statement of the number and species of Crimes for which Prisoners have been convicted, sentenced, and confined in the Jail of the City and County of Philadelphia, from the beginning of the year 1790 to the conclusion of the year 1815—accompanying a letter of the Board of Inspectors of the Prison of Philadelphia, of the 8th of February, 1816.

Attempt to poison	1	Felony and robbery	3
Assisting prisoners' escape	1	Horse stealing	145
Assault with intent to rob	1	House breaking	2
Assault and battery with intent to murder	4	Highway robbery	14
Arson	31	Harboring convicts	1
Assault and battery	191	Ill treatment to wife	1
Adultery	1	Incest	1
Accessory to a burglary	1	Indenting a check	1
Assault with intent to kill	11	Kidnapping	1
Assault with an intent to commit a rape	7	Larceny	2,897
Assault	14	Misdemeanor	54
Burglary	161	Manslaughter	30
Bigamy	8	Murder in the 1st degree	2
Bawdy house keeping	17	Murder in the 2d degree	45
Burning	5	Maiming	1
Bastardy	5	Nuisance	4
Breaking prison	4	Perjury	5
Breach of health laws	1	Picking pockets	2
Blasphemy	20	Pass'g counterfeit money	15
Counterfeiting	4	Poisoning	3
Cheating	4	Robbery	23
Concealing the death of a bastard child	12	Rape	13
Conspiracy	23	Receiving stolen goods	56
Coining	2	Riot	11
Contempt of court	4	Robbing U. States mail	1
Disorderly house keep'g	41	Robbery, intent to kill, 2	1
Deceit	3	Tipping house	3
Defraud	3	Uttering counterfeit bank notes	6
Deserting wife	1	Uttering counterfeit dollars	2
Forgery	90	Uttering forged letter of attorney	1
Felony	191	Uttering forged check	3
Fornication	3		
Forcible abduction	1	Total	4,264

### VIOLENT STORM.

We experienced on Tuesday evening, between 7 and 8 o'clock, one of the most violent storms encountered in Philadelphia this season. The rain during a short period came in unbroken floods; the lightning was vivid and a time, almost incessant;—and the intonations of the thunder were almost deafening. The storm came on with great rapidity from the west, and hung above the town "like Night,"—the effects this morning are decidedly exhilarating. The sun has his smile without his intense fire;—and the air is clear and refreshing. Some damage was caused by the lightning. A house in Wharton street was smitten by the fluid—the chimneys protracted, ceiling rent, and the floors torn up in the passage of the burning stream to the cellar. Although persons were sitting below, in the basement rooms, no lives were lost, or any bodily injury sustained by the dwellers,—whose escape may be considered very remarkable.

Since writing the above, we have been informed on good authority by a gentleman residing in the upper section of the town, that three men were killed instantaneously by lightning, a few miles up the Delaware. After the cloud had passed over the city, several tremendous peals of thunder were heard echoing in the north. We have not learned the particulars respecting the beings thus suddenly destroyed. It will also be seen, among

the shipping intelligence, that captain McFarland of the brig Fisher, was struck during the tempest off the mouth of the Schuylkill—he was killed immediately, and two of his crew injured.—*Phil Gaz.*

### Another Revolutionary Soldier gone.

In Tuscarora, on the 15th ult. JACOB HUFF, senr. in the 81st year of his age. The deceased was a native of Germany; and emigrated to this country about the time hostilities commenced between this and the mother country. He engaged in the service of his adopted country, and was at the battle of Long Island, the battle of White Plains, at Trenton and Princeton, Germantown, Brandywine, and others not recollected. He was for many years a member of the Methodist Episcopal church, and died in hope of a glorious immortality beyond the grave.

### Appointment by the President.

ABRAHAM SHARP, of Pennsylvania, to be Marshal of the United States for the Eastern District of Pennsylvania, vice George B. Porter, appointed Governor of Michigan territory.

## THE REGISTER.

AUGUST 27, 1831.

*Something New.*—If our citizens do not enjoy good health, the blame cannot be chargeable to Dr. Porter, who has successively furnished us with the "Journal of Health"—the "Catechism of Health"—"the effects of certain trades and professions on health," "pure healthy bread," and now with the "Health almanac, for 1832, calculated generally, for all parts of the United States." This neat little work, (which is to be continued annually,) besides very full calendar tables, contains numerous maxims and directions, relating to the preservation of health, calculated to arrest the attention; especially of those whose library would be incomplete without an almanac—and who give implicit credit to whatever they find in those periodicals. Much useful information may be communicated to thousands, by these little vehicles, who could not be reached in any other way—and we approve of every attempt to supplant the low jests, ridiculous anecdotes, and other nonsense, with which almanacs are usually filled, by matter of more useful tendency and application.

We understand the first stone was laid on Saturday last, on the rail road near Belmont, which, we believe, is also, the first on any part of the route to Columbia. So little ceremony attended this operation, that few of our citizens were aware of its being in contemplation.

*Expeditious Travelling.*—A gentleman left this city on Wednesday morning in the Steamboat Emerald—and after being detained several hours in landing passengers at the Camp-meeting ground, reached Cape Island about four or five in the afternoon, and had a comfortable bathing at night—next morning after bathing, he left the Cape, after sun-rise, and was in this city, before three o'clock of the same day.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 10. PHILADELPHIA, SEPT. 2, 1831. NO. 192.

## INDIAN HISTORY.

[FROM THE PEMBERTON MANUSCRIPTS.]

[Continued from page 130.]

*To the Honourable Wm. Denny, Esq. Lieutenant Governor, and Commander in Chief of the Province of Pennsylvania, &c, and to the Honourable John Forbes, Esq. Brigadier General and Commander of his Majesty's army in the said Province, &c.*

The report of Charles Thompson and Christian Frederick Post, Messengers, appointed to go into the Indian country, on the northern frontiers of the said province.

May it please your Honours,—

On Wednesday June 7th, 1758, having received the messages for the Indians, and instructions from the Governor, we set out for Wyomink, next day we reached Bethlehem, having engaged on the road, Moses Tetamy and Isaac Still to accompany us. From Bethlehem we took three other Indians, and on Friday arrived at Fort Allen. As we had been informed on the road of some bad news sent to the Governor by the captain at Fort Allen, we enquired the particulars, and were informed that on Tuesday last two Indians, Aquelin and John Philips, came to the Fort express from Teedyuscung at Wyomink, to let them know that on Sunday last were seen a party of enemy Indians, about 78 in number, directing their course towards the Minisinks. This discouraged our Indian companions and as they had been all along against our going into the Indian country, this made them much more averse to it, whereupon we called them together next morning and made them acquainted with the purport of our messages and the necessity of our going. With this they were satisfied, and it was concluded we should go. And having settled every thing regarding the way and manner we should travel, we left Fort Allen, about 12 o'clock and crossing the Neshamewater and Quebeck mountains, we lodged all together about 12 miles from the Fort.

On Sunday morning we set forward pretty early and by 12 o'clock reached the Nescopekun mountains, within 14 or 15 miles of Wyomink. Here we met 9 Indians travelling down to Bethlehem. They left Wyomink the day before and had been six days from Chenango, a town of the Nanticokes on Susquehanna, about half way between Owegey and Ossewingo, there was one Nanticoke, a son of Capt. White, one Munsey Captain, one Delaware, and four Mawhiccons and two squaws. Upon meeting with them we spoke and enquired the news, and from several questions asked, we learned that Teedyuscung was well and at Wyomink, that all was quiet among the Nanticokes, that their principal men were at the Council at Onondago which was not yet broke up; that Backsinosa was still at Seekaughkunt, but that he was preparing to go somewhere he said to his own country, that they heard of no body of Indians going southward. Being informed of our going to Wyomink with good news to all the Indians, they told us they thought it was by no means safe for us to proceed, that strange Indians were thick in the woods about Wyomink; that a party was seen but four days ago, whose language none of the Delawares understood, nor did they know of what nation they were. This

alarmed our Indians, they pressed us to turn back with this company, and make all haste to Fort Allen, and two of them would go and invite Teedyuscung to come to us there. This we objected against on the account of losing time, and proposed following what had been at first agreed upon, that was, to go forward to the Wyomink Hills, within 7 or 8 miles of the place, and there wait till two of the company went forward, and informed Teedyuscung of our coming and know of him whether it would be safe to go to the town. The Indians we met thought it dangerous to proceed any farther as they had seen fresh tracks crossing the path in two or three places between this and the town and at one place not half a mile from where we then were. Upon this it was proposed and agreed upon to go back to the east side of the hill, and there lodge to night, till two of our Indians went and invited Teedyuscung to come and meet us. And the friendly Indians we met agreed to stay with us till he came up. From farther conversation with one of the company, after we had been sometime together, we were informed that 200 of the Six Nations had set out with a resolution to go to war against the English, that he and his company had seen 60 of them and that 6 of his company were discouraged and turned back, none of his company he said, understood their language, but they made signs that they were going against the Minisinks.

Next day between 11 and 12 o'clock, Teedyuscung with Tépiskahung, Capt. Augustus, Sam Evans and David came to us. At first we expostulated with Teedyuscung about the road being shut, and told him that though we were come with good words to all the Indians, we could not go to his town to deliver them; he said it was not his fault. We put him in mind that the road had been opened by a belt of Wampan from Wyomink to us, and that it was his business to keep it open from his town to Fort Allen, as we kept it open from Fort Allen to Easton or Philadelphia. We further took notice that it was the custom of all nations to suffer messengers of peace to go backwards and forwards safe and unmolested, that unless this was practised two nations once at war could never be at peace again. To this Teedyuscung replied that what we said was right, but that the Six Nations, not him, had blocked up this road; that 200 of them had gone to war in different parties; that they had passed through several towns on the Susquehanna, that at these towns the Delawares endeavoured as much as in them lay, to dissuade them from going to war against the English, but they would not hear them, that these 200 were chiefly of the Seneca Nation, and from three towns that lay near the French, that the reason they assigned for their going to war with the English was, that about 3 years ago a party of their warriors went against the Catawbas, and upon their return entered the settled parts of Virginia, where a white man in a friendly manner invited them to his house, and having gut them there, sent in the night and collected a number of his neighbours and fell upon the party and killed them all except one man, who escaped; for this they had not yet taken a full revenge; they said they had heard the words Teedyuscung had sent them, but they were now out and would not turn back, but would strike the English this one time more, and after they had given them this one blow, then if they found the English still of the same disposi-

tion Teedyuscung represented them; they would never strike them more; but that if they made peace with them, yet it was not that they themselves might be quiet, for then they would turn their hatchets against the French. The Delawares then told them if they were resolved to go to war against the English, and would not turn back they must take some other way, for that all the people down the Susquehanna were at peace with them. The war party then agreed not to proceed on that path, nor willingly to hurt the people of Pennsylvania, but as they might miss their way and contrary to their inclination fall in with them, they insisted that some of them should show them another way; whereupon a Munsey Captain named Yaghkapse, (the same who headed the party that lay above Fort Allen, at the Easton treaty, in 1756) undertook to show them the way and having put them in the path to the Minisinks, he returned home again.

From one of these parties a few Shawnese, upon hearing that the English were building a fort at Wyomink, went down to see whether it was so, and these were they that killed the young man, when the workmen were there.

Teedyuscung farther told us that a report had prevailed among the Indians up the Susquehanna and through the Seneca country and along the Allegheny, that the English were building a Fort at Wyomink, with 800 men, that this was confirmed by the Shawnese party that had been down; that upon this they immediately held a council to consult what should be done. At this it was proposed that some one should go and know for certain whether it was really so, and boldly ask the English what they meant. Though this seemed dangerous, yet one Welameghihink (Georges Hays) a Wanami, who lives in a town of the Senekas near the French Fort at Niagara, and is a Captain on the Ohio under Tessawehund the Chief of all the Delawares on the Allegheny, offered to go, though it should cost him his life. Not many days after the English left Wyomink, he came there and was informed of the true state of affairs, and three days ago left that in order to return and inform the Indians thereof. He it was, that brought down the foregoing intelligence, which was confirmed by these Indians from Chenango. Teedyuscung said that Welameghihink further informed him that the French at Niagara were in great want of provisions, that they had applied to the Senekas to supply them, telling them that the English had stopped the mouth of their river so that no provisions could be brought up to them, and that therefore they were obliged to apply to their children the Indians for some; that hereupon the Indian squaws from the Seneca towns near the Fort were employed in carrying them Indian corn, which they sold at a great price, and so eager were the French to get it that the officers, when they heard the squaws were coming, used to go and meet them, and in order to encourage them to bring more, would pull off their cloaths and even their shirts, to give them to the Indians, that the soldiers used to parch the Indian corn and then pound it and mixing it with a little water, drink it, and this was all they had to live upon.

After dinner we told Teedyuscung our orders were to deliver our message at Wyomink; that being dissuaded from going farther, we had stopped here, and sent to desire him to come to us, and now he was come, we desired to know what we should do. He said he was glad we did not come to him, that he had seen fresh tracks as he came along, and he thought it best we should deliver the messages here. Whereupon we sat down, and taking out the Belts and Strings, delivered the messages distinctly. After they had been read and interpreted once, in order to impress them deeper in his mind, we gave him the substance of each Belt and String in other words, and then entered into a conversation on every part. By this means, every thing being repeated again, he seemed to comprehend every part and to be much pleased with the whole. With respect to the Cherokees he said, if the messenger should re-

cover and be inclined to see him, he might come by the way of Bethlehem, and from thence some Indians would conduct him and his company safe up to Wyomink. On the Belt to remove the uneasiness respecting the settlement of Wyomink, he said he hoped that was already removed, or would be upon the return of Welameghihink and his company, which consisted of thirty men from several towns of the Six Nations.

The Seneca Belt, and that to all the Nations, he was much pleased with; and said he did not doubt but the first would bring many down, and the latter give general satisfaction. As to calling together the parties about Wyomink and knowing their business, he did not know how that could be done, as neither he nor any of his people understood the language of some of the parties; but that he would do what he could in that matter, and what intelligence he could gain he would send down by Sam Evans.

Of Essoweyowallund, or Daniel, he said he had not yet heard any thing; but the other messenger Welameghihink, or James, he heard was on his way down, and he expected him at Wyomink in three days.

We then told him, that as the government had these things much at heart, and sincerely desired to see a peace with the Indians established on a sure and lasting foundation, we were sent up with these messages, both to convince the Indians of the sincerity of the English, and that they might be well and fully explained to them. And that our orders were, after we had delivered them to him and his people at Wyomink, to proceed farther with the messengers Teedyuscung should send along, and carry these Belts to the other Nations. He said it had often been asked by the Senekas, why none of the English accompanied the messages sent to them. We told him, there would hereafter be no occasion for such a question—we were now ready to go, and would set out with those he sent along as soon as he pleased. On this he was silent. We then told him, if he had any doubts, he might take time to consider it; and that we would proceed with him to Wyomink and lodge there to night, and this we were the rather inclined to do as his messenger was soon expected, by whom we hoped to hear some agreeable news, which we would transmit to the governor. After musing some time, he said he thought we could by no means proceed to the Seneca country that way, as many parties were out, that he imagined the safer way would have been by Albany to Onondaga. We mentioned to him what the Six Nation chiefs had said at the treaty at Lancaster last summer, by which it appeared to us that that way was not proper, inasmuch as the Senekas were the door of the Six Nations to the westward, as the Mohawks were to the eastward; and we told him, that their advice then to us was to apply immediately to the Senekas, and by a Belt to invite them down, which we now wanted to do.

He said before we could go with safety a road should be opened, at least for messengers, and he thought it would be well if that was done at the ensuing treaty. We again mentioned our going up to Wyomink, and staying there till his messenger came in, or at least this night. Whereupon, after consulting his council he took out some Strings of Wampum, and by two forbid us to go any farther, for fear of some mischief befalling us; by two more, he expressed his uneasiness least some of the white people in pursuing the enemy Indians, that were on our frontiers, should come as far as where he lived and fall upon him and his people. By three other Strings, he requested of the government some provisions, and especially Indian corn, by the way of Shamoekin, from which place his young men could easily bring it up in canoes. He likewise desired to be supplied with some ammunition.

As we found we must return from thence, we endeavoured to gain some more intelligence, and asked him if he had any news from the westward. He said he was further informed by Welameghihink, that Hans Jacob, his (Teedyuscung's) son, and one Hamet, another In-

dian, had been on a scout to Fort du Quesne, that they had surprised two French men and shot them, at a small distance from the fort; that the one was killed dead on the spot, but the other escaped on horse-back to the fort, where he no sooner entered than he fell down and died. Upon this the commander of the fort called the Senekas together, and told them the Catawbas had struck him. Soon after another Indian, from Fort Augusta, being on a scout near the French fort, killed another Frenchman. The commander again called the chiefs of the Senekas together, and told them the Catawbas had struck him again. Hereupon the Senekas said, why do you say the Catawbas have struck you? It is not the Catawbas, but your children the Delawares. At hearing this, the commander was very angry, and sent for the two chiefs of the Delawares, Tessawhenand and Cuthapanecamen, and complained of them in harsh terms. When the dispute grew warm, Tessawhenand told the commander he behaved like an Old Woman, to make so much noise about three men, and not to consider how many he had made him lose. But though the bones of so many of his lay scattered up and down in the woods, and all through his means, yet he made no noise about it—the Frenchman never heard him complain. When the French commander still went on complaining—Tessawhenand told him, if he had any thing on his mind to speak out, and not scold any more like a woman. The commander, who was now very angry, told him if he did not punish the Delawares he should die. At this Tessawhenand started up, and taking the commander by the hand, said: Now you speak like a man—you say I shall die. But I now tell you I will not die alone—you shall die also. The English are coming up; and as soon as they strike you on one side, I will strike you on the other. Wellameghihink said, he imagined that before this they had come to blows. The two chiefs had, before he came, ordered their people to separate from the French, and consulted together how to be revenged. They proposed two schemes, one of which they agreed to follow. One was, to wait till the English came up, and then fall on the French—the other was to pretend a reconciliation, and having a party of men ready, to take an opportunity and rush into the fort and drive the French out, and then burn the fort; and this they think they can easily do. But before they took any step of that sort, they thought it necessary to know the truth of the reports respecting the English—what their design was in building at Wyoming—whether it was for themselves or for the Indians—and whether they were willing to make peace with all the Indians, as they had been informed. And in order to know this, Wellameghihink was dispatched away.

We next inquired how the Chief Man of the Senekas was affected to the English. He said the Chief Mao was our friend. We then asked him, how it came to pass that his young men came down to war against the English. He said these warriors came from some towns near the French; that they were therefore in the French interest, and the Chief Man had little influence over them. We were farther informed, that when these 200 came out to war, the chief man of the Senekas, Tageshshata, called a council, and complaining that the young men did not regard him—that he was no more than an Old Woman among them—that he saw a great number of his young men going past his door, with hatchets in their hands, but that he did not know where they were going, and he feared this would be the cause of mischief. The Munsey Captain we met, and who came with us down to Bethlehem, said he was at the council and heard Tageshshata make his speech.

From farther inquiry amongst the Indians, we had some intimation that the Seneka Nation were in general dissatisfied with this government, from something that happened in a treaty with Sir William Johnson. Soon after Sir William received the commission to negotiate Indian affairs, he called a Council of all the Nations. To this a great number came. He then told

them, that the King had at several times sent over large presents to the Indians, of which they had been cheated by the governments to which they were sent, but that it should not be so any more; that he was now the only man that had power to treat with the Indians, and that he would see them righted.

This, as it awakened the jealousy of the Indians, raised in them a disrespect for the other governments, as they imagined they had no authority to treat, and that councils or treaties held with them were of no significance. Besides, a report was very generally propagated among the Senekas, but by whom was uncertain, that the King had sent large presents for the Indians to Pennsylvania, which the government of Pennsylvania had appropriated to their own use. And as the road of communication between this government and the Senekas had been for some time shut, and no free intercourse between them and us—no means was used to remove this groundless report till it became universally believed, and the nation in general exasperated against the Pennsylvanians; and this was thought to be one reason why the Chief Man, though more inclined to the English than the French, and though he had kept himself and his town quiet, yet has used little care to restrain those who had any inclination to go to war with us.

We next inquired of Teedyuscung what he had heard of the prisoners—whether we might hope to see them soon returned. He told us, that a few days ago one Nenacheclunt, a chief of one of the towns on the Allegheny, had come to him at Wyoming, to know whether the English were willing to include him in the peace, and whether Teedyuscung desired the prisoners should be returned. And being assured of the truth of both these articles, he said there were a good many prisoners in his town, and he would take care they should be restored; and that he and his people would come down and settle with Teedyuscung at Wyoming. But from what we learned from the Indians, the case of the prisoners is this: All that are taken are looked upon by the Indians as the private property of the captors; and are either given away to those families who have lost any men in the war, or sold to others as we do slaves. And many of those that have been taken, we are informed, have been sold and bought several times. Now, as the Indians have no public fund to redeem them out of the hands of private persons, and as we have none of their people prisoners to exchange for them, it will be next to impossible to procure the return of the prisoners, without offering a price for them, and redeeming them ourselves.

We also asked if he had heard any thing more of the 800 Northern Indians that was said to be going to fight the Cherokees. He said he thought and was assured that the report was altogether groundless, for he had enquired both of Wellameghihink and Nenacheclunt, and of these who came down from Chenango, and none of them had heard any thing of that; and had there been any truth in it, Wellameghihink or Nenacheclunt must have met them, as they came up the Allegheny, the very road the party must have taken.

As it now grew late, and it was considered we could not go forward, we thought it best to return back part of the way, especially as our provisions began to grow scarce, and there was no pasture for the horses in the place we now were. As we were preparing to set out, Teedyuscung came to us and asked whether Mr. Hughes had delivered to the governor the French collar which he (Teedyuscung) had taken from Bill Sock, we told him we did not know; he then desired us to ask the governor whether he had received them, and whether he had given Bill Sock those colours, or whether he kept two sorts of colours. He said if the governor had two sorts of colours and gave one sort to one Indian, and another sort to another, it would breed confusion.

As we were just ready to take horse, Gabriel Loquas an Indian, and his family whom we had left at Fort



Allen, came up. As some of our company, which was now increased to 14 were gone, we took leave and set forward, leaving three or four to follow at a small distance behind us. When we stopt at night we found two of our company missing, and upon inquiry found that Gabriel Loquus had brought up with him some spirituous liquors, and Isaac Still who was one of those behind, said he heard the king proposing to drink before they went any farther, and that seeing them go to drink he hastened away, and this he supposed had detained our two companions.

Tuesday in the afternoon we arrived at Fort Allen, the prospect of which was hid from us till we came just upon it by bushes growing on the bank of the river. Here we inquired where Gabriel Loquus was supplied with liquor, and were informed that he had been down at one Bowman's who lives about five miles on this side the Fort, and had got it there. In our way down, one of us called at Hans Tetter Bowman's, and was there informed by Evan Bowman, a soldier of Captain Bull's company, that this Bowman had on Saturday last let Gabriel Loquus have about five gallons of whiskey. Bowman himself acknowledged his having supplied him with between three or four gallons. When the ill consequences of selling the Indians strong liquor, and the breach of the law were represented to him, he said he had made a present of it, and that he would do the same again, and that no body could prevent his doing what he pleased with his own. The ill consequences that will we apprehend attend this man's supplying Loquus with liquor at this time are, that with these four or five gallons of whiskey, Teedyuscung and his people will be made drunk, and consequently incapable of calling together the scattered parties about Wyomink, and should messengers arrive from the other Indian towns as was daily expected, he will be incapable of receiving the news they bring and despatching messengers to this government as he promised. We would farther observe that it was this same Gabriel Loquus who made the messengers drunk, who were not long ago despatched from this government to the Alleghany, and that he is often employed in carrying the Indians spirituous liquors, which the neighbours say he is supplied with by Bowman.

On our way down to Bethlehem, the Munsey Captain, named Kelkaphug or Isaac, told us he had a complaint to send by us to Philadelphia about some lands in the Minisinks, of which he said he had been defrauded and about which he had been complaining about these twenty years without receiving any redress. As he told us his land lay on the west side of Delaware, we let him know that at the last treaty Teedyuscung had in the name of all the Indians complained about the lands in this province, and had agreed that this matter should be left to the determination of the king and his council. We therefore desired him to wait a little longer till the king's determination was known, and he might depend upon having justice done him. He said that several of the Munsey's, and mentioned in particular some of his own relations, had been dispossessed of large tracts of land in the Jersey's without ever receiving any consideration for them. We told him that we had now carried up belts to the Indians, and as he himself heard had invited all who are willing to be at peace with us, to a general treaty; that his nation was invited as well as others, and we therefore desired him to press his great men to come down, and then if any one thought himself wronged in any thing or had any thing on his mind, he should then make it known, and by that means all uneasiness would be removed, every thing adjusted to satisfaction, and peace and friendship between the English and Indians established on a sure and lasting foundation, with this he seemed to be well pleased.

At Fort Allen we acquainted Captain Bull of the party that was going against the Minisinks, that he might send and give notice thereof. And as soon as we arrived at Bethlehem, a letter was despatched to Mr.

Swaine with the same intelligence, that he might inform the people of the Jersey's.

At Mr. Horsfield's we met one Captain Neilson of the Provincials, who after expressing himself with great bitterness against Teedyuscung, declared that if he met Teedyuscung or any of his people in any of the courses he should be ordered to take, let them come on what occasion or with what pretence soever, he would kill them without asking any questions. He was also inquisitive to know in how many days a party of stout active men could go to Wyomink, and expressed himself as if he had a desire to send out a party to destroy that town. When we remonstrated against such a step being taken against friendly Indians who had the faith of the government plighted to them for their security, and a town built by the government, he wished that the Indians had scalped but not killed all those who went up with Mr. Hughes, that thereby they and others might be convinced we had no friends among the Indians. Upon this we parted. And having paid the Indians who went up with us, we left Bethlehem on Thursday, and that evening returned to Philadelphia.

We have only to add that all the Indians are removed from Diaghoo and Owego, that Backsinose, with about 100 men, lives yet at Seekaughtont, that the Nanticoke tribe has but about 50 fighting men, and that they live chiefly at Chenango.

The short stay we made in the Indian country, made it impossible for us to know as much of the state of the Indian tribes as we could have wished. However we neglected no opportunity of informing ourselves as far as we could, and have endeavoured to give you a full account of all the intelligence gained by us.

We are, your humble servants,

CHA. THOMPSON,  
CURR. FREDERICK POST.

#### A GOOD EXAMPLE.

We are glad to find that many of our citizens are beginning to talk about, and in several places have actually commenced great improvements in some of the leading roads to Philadelphia through this county. The necessity of such a measure has long been felt, and since so much exertion is used around us to draw the travelling public, it is more particularly requested that something should be done, and that right early. On the York Road, the enterprise of a few individuals has materially improved Buckingham Hill, and the hill near Willow Grove, called Sampson's Hill, by reducing very considerably, the elevation. These improvements are all praiseworthy and reflect credit upon the public spirit of those concerned. They are, however, calculated to diminish the travel upon the Easton Road, and should the new State Road from Easton to Willow Grove be opened, its effects would be at once seen and felt. With these facts presented, some of the citizens of Plumstead have laudably undertaken to break ground towards doing something for the Easton Road, which is decidedly the nearest route, and with the exception of a few hills, the best. Last week the supervisor of the township above named, commenced improving Dyer's Hill, and spent as much labour upon it as he conceived the people of the township would justify. The citizens then took it in hand, and voluntarily contributed in labor and money, sufficient to reduce the elevation of the hill several feet. They appointed a committee, consisting of James Moore, Wm. Rich, John Dyer, Squire Thomas and John Poulton, to solicit contributions of the people in the vicinity interested in the improvement of the road, and appointed James Moore superintendent of the work. We have noticed this matter in order that public attention may be more particularly drawn to it. The citizens of Doylestown we hope will consider the matter, as it is an improvement which will materially add to the interests and prosperity of the town, and we should be glad to hear of a more liberal and general

N. D. Smith's



contribution. In fact, every man who travels the road is interested, as well as those who reside upon or own property near the road, and should contribute in proportion to their means. It is found that the funds already contributed will be expended this week, and the elevation of the hill will not be reduced as much as many persons would desire. We look upon this measure as a commencement towards having a good road made to Easton and Philadelphia, and if this bill is properly reduced, it will incite the citizens in other places to follow the good example. We understand the persons now at work at Dyer's Hill, are willing to keep at it, as long as the funds contrived hold out.

*Bucks County Intel.*

### AMERICAN SILK.

From the (Baltimore) Chronicle of the Times.

To the Editors of the Chronicle of the Times.

PHILADELPHIA, 15th Aug.

GENTLEMEN:—I observe with pleasure, that the "Chronicle of the Times" has taken up the subject of "American Silk," and vigorously advocates the *Normal School System*, recommended to Congress by the Committee on Agriculture of the late House of Representatives. Although that system appears to have received the general approbation of the thinking part of the community, its principles cannot be too much nor too often enforced by arguments and illustrated by facts, and therefore I am happy to find that it receives the able support of your scientific journal.

Desirous of affording you my feeble aid in the furthering of this patriotic design, I take the liberty of sending to you a translation of a letter, addressed by M. Boucher, an eminent silk manufacturer of Paris, to the Chevalier de Pougens, a learned member of the Royal Institute of France, and of the American Philosophical Society, whom I had requested to obtain for me the best information he could, on this interesting subject. In this letter you will find valuable facts and instructions concerning the spinning or reeling of raw silk from the cocoons. Its general result, it is true, is not very encouraging, as M. Boucher requires not less than ten years to perfect our females in the art of reeling silk, and because of the difficulty of that art, considers the plan which I had the honour to propose to the Committee on Agriculture as "*the dream of an honest man*," but a subsequent correspondence with him, has brought him to more favourable sentiments, and I shall if you desire it, hereafter communicate through the Chronicle a letter which I have lately received from him, in which he no longer holds the same discouraging language.

In the mean time, if you think the inclosed worth publishing, you are at liberty to insert it, together with the Chevalier's letter which precedes it, in your able and interesting journal.

I am with great esteem and respect,  
Gentlemen, your most Obedient servant.

PETER S. DU PONCEAU.

No. 1.

From the Chevalier de Pougens, to Peter S. Du Ponceau.

PARIS, 23d August, 1830.

I enclose a letter from M. Boucher, the first of our Parisian merchants, in the silk line, Rue Francaise No. 2. I think I do you pleasure in communicating it to you. You may keep it.

No. 2.

From M. Boucher to the Chevalier de Pougens.

PARIS, 20th August, 1830.

I am honored with your letter of the 12th instant. I must tell you with frankness that I do not at all believe in the success of the beautiful project of your honorable

friend Mr. Peter S. Du Ponceau, of Philadelphia; I consider it as the dream of an honest man. In support of my opinion, I will cite two gigantic undertakings which have failed within the last few years. I must refer you to the nine first lines of the fourth page of the French pamphlet you have addressed to me.\* *Ves, sir, practice is every thing in this art, and theory very little.* Your young man, M. D'Homergue, may have a great deal of knowledge of the *silk trade*, but he cannot have the knowledge and experience of old manufacturers, a thousand obstacles will arrest his progress, as happened to men of great experience, of whom I am going to speak to you.

In the southern part of Russia, on the confines of Persia, the Caucasian mountains produce a considerable quantity of cocoons, of which the inhabitants cannot make any use. Two Frenchmen, one of them Mr. Didelot, a great mechanician, and the other a man from our southern departments accustomed to the filature of silk, took with them an old director of filatures from St. Jean du Gard, and a few female reelers to found an establishment. They obtained from the emperor of Russia, large grants of land and buildings at Tiflis, large sums of money were advanced to them by the emperor; they began to reel silk,—we have seen some small samples of it that left nothing to be wished for; but they did nothing more, they could not supply their establishment with female reelers, the silk which those women reeled, apparently very fine, could not be thrown, and in the course of four years, all the capitals were sunk, the emperor abandoned them, one of them died, and the other returned to France, poor and destitute. The director of the filature and the female reelers could not return for want of money.

The second undertaking is still more extraordinary; it was made by a man of eminent merit in the sciences connected with the useful arts, and in the part of France where the greater quantity of silk is reeled (but by rote.) This undertaking has recently failed; out of a joint stock of eleven hundred thousand francs, the concerned will only have 15 per cent. of their capital, out of the proceeds of the sale of the real property. I send you herewith a printed copy of their articles of co-partnership,† which you may send to your friend Mr. Du Ponceau.

I do not mean to say that the project of establishing filatures of silk in the United States should be abandoned, but it should be pursued with prudence, if profit is intended to be made by it, and it must not be believed that in two or three years America can supply England and France with part of the silk they want.

The sixty young men to whom you will have in two years taught the theory of the art, will not be able to produce any thing, if they have not an overseer to attend to the quality of the silks which they shall cause to be reeled, and facilitate the disposal of it in the way of trade. They will meet with a thousand obstacles from the female reelers, and will for some years only produce raw silk unfit to be thrown, and yet those silks will appear very fine.

I would advise Mr. Du Ponceau to cause himself to be appointed director of a pattern filature, of which Mr. D'Homergue should be the overseer; that filature

\*This reference is to the French translation of the report of the committee on Agriculture, of the House of Representatives, of the United States, of the 12th of March, 1830. The words referred to are in the English text as follows: "It is further demonstrated in those Essays (Mr. D'Homergue's) and in a memorial lately presented by the Manufacturers of silk stuffs, of Lyons, in France, to the Minister of Commerce and Manufactures, that the art of filature can only be acquired by practical instruction, by some one intimately acquainted with, and accustomed to that process. That no human skill or ingenuity, unaided by practical instruction, is capable of acquiring that art, to any profitable extent."

†This document was never received.

should be managed for account of the Government, and the object in view for the first year should be rather to instruct, and form female reelers, and male directors or overseers of filatures, than to make silk for sale. I would expend as little as possible in mechanical apparatus, and adjourn the employment of Gensoul's machinery; it is only good for saving fuel in large establishments, and when old experienced females can be obtained, for raw silks of three and four cocoons fit for Organzine, but which are entirely useless for the raw silks employed in making sewing silk and singles; the overseer may teach the art to grown women, and employ to turn the wheel girls from 12 to 15 years of age, who after a few months of exercise, will try to reel under the superintendence of the elder reelers; who will turn the wheel for them some hours in the day. It is thus that the thing is practised in the best filatures of France.

All those who have devoted themselves to the filature of silk, have imagined that the greatest merit was to be able to reel from three to four and from four to five cocoons, and to produce a thread regular to the eye, but it is recognized by old reelers that it is easier to reel fine silk, than silk of 12 to 15 and 15 to twenty cocoons. The most essential quality of raw silk is to be easily wound or thrown and twisted, the more waste results from those operations, the more imperfect the silk is, and the more expensive the throwing; in my opinion the overseer, in order to hasten the instruction of the female reelers, should only permit them at first to reel threads of from 15 to 29 cocoons, the next day he should put another reeler at the basin, and employ the former in winding off the silk she had reeled the day before on bobbins, such as are used by the makers of sewing silk, so that it might be sold to them ready wound off.

That your filature may reach the desirable degree of perfection for raw silk of from 15 to 20 cocoons, it would be necessary that like that of Bengal, called *Cossinbuser*, they should suffer in throwing only a waste of one half per cent. or like the French silks of Alais and the Department of Gard, only one or two per cent; all other silks in the world from 15 to 20 cocoons, are worse reeled. Those of Bursa, in Asiatic Turkey, lose from 6 to 8 per cent, those of Calabria, called *Girelle* 18 to 12; those of Spain, called *Tramas* of Valencia, from 6 to 8; those of Syria, from 15 to 25. Those of Salonki and the Morea are still worse. Instead of attempting to reel silk of every quality, the United States should supply the trade with raw silks of from 15 to 20 cocoons, in bales of the weight of one hundred Kilograms, (about 200 lbs.) Some years afterwards the same reelers might spin 10 to 15, afterwards 8 to 10 and 6 to 8 for trams; in about ten years only, you might reel 5 to 6 and 4 to 5 for Organzine, if the cocoons have nerve enough to bear twisting.

The skeins of Bengal silk are of the weight of two ounces with a good traversing bar to the reel, they might without inconvenience be made of 4 to 5 ounces. The skein must be all of one single thread, and so that it may be fastened by crossing the first and the last end. There must be a good deal of twisting or crossing the threads in reeling, and the slabs or gouts must not be suffered to pass through. The selecting or separating of the cocoons is a most essential thing, all the double cocoons that we call *dupions* are to be put aside to be separately reeled, the stained are to be separated in like manner. The yellow and white cocoons must be separately reeled, to obtain a lively yellow and a pure white.

The silk will be handsomer, if the cocoons are first stirred in a basin of hot water of from 60 to 80 degrees, (167° to 212° Fahr.) then carried to the reeler's basin, the heat of which may be only 30 degrees (99° Fahr.) You will thereby prevent the water being colored by the decoction of the chrysalis, and the silk from being tarnished.

The water in the reeler's basin must be changed at least four times a day. The more persons there are to

oversee and watch the reelers, the more attention they will pay to their threads and to their basins. The broken threads must be tied up, and *marriages* (when two threads accidentally join by passing through the same hole in the traversing bar) must be taken off. This is done in reeling silks of 3 to 4 cocoons, and still better in these of 15 to 20.

They have been for some years in the kingdom of the Netherlands and in England, attending to the culture of the Mulberry. Experiments have been made for raising silk worms, and it is pretended that they produce superb silks for their brilliancy. I am inclined to believe it, because in those damp countries, vegetation being quicker and the worm better fed, they must yield more abundant crops, but this speculation is only founded on experiments on a small scale. Mr. Christian asserts that a pound of silk may be made out of eight pounds of cocoons, while ten are commonly employed in silks of from 15 to 20; eleven in those from 10 to 15; twelve in those from 7 to 8; thirteen in those from 5 to 6 and 6 to 7; and fourteen in those from 3 to 4 and 4 to 5 cocoons; but I think it is an error, produced by the dryness of the cocoons at the time of making the experiments. In fact 12 lbs. of cocoons, just out of the nursery, produce some months after only 8 lbs. because the humidity which is in the gum evaporates, and the chrysalis itself loses of its weight by the baking of the cocoons, to prevent the moth from escaping.

In cold damp countries the feeding of the silk worms is very uncertain; because the leaves wet by the rain, occasion diseases among the insects, and the white frost may in one single night destroy all the leaves, which is less likely to happen in Italy and the south of France. In those countries one half only of the eggs on hand is put to hatch, to divide the chance of an adverse temperature, and some weeks afterwards the other half is put out, if both succeed, the crop is more abundant; it rarely happens that the two crops fail.

If you think that this letter contains any thing that may be useful to our honourable friend, Mr. Du Pontecau, you may transmit it to him—if it should be agreeable to him, I shall continue with him this correspondence on the subject of silk. I would recommend to him to begin on the small scale his Essays on filature; he has nothing but the reel and the basin to purchase, to begin to reel.

I annex to this letter a sample of Spanish raw silk, reeled in the neighborhood of Valencia,\* of the quality called Trams, of from 15 to 20 cocoons. This is only fit for thick stuffs or fine sewing silk. Raw silk of from 15 to 20 cocoons, is best fitted for sewing silk.

There is a great deal more to be said on the subject of filature; but I am obliged for a beginning to confine myself to what appears to me the most urgent.

Accept, Monsieur le Chevalier,

My respectful civility.

L. J. BOUCHER.

## PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, Aug. 25, 1831.

**SELECT COUNCIL.**—Mr. Fox presented a petition for regulating Cherry street between Broad and Schuylkill Eighth street, which was referred to the paving committee.

Mr. Worrell, as chairman of the committee on Chestnut street wharf, on Schuylkill, made the following report, accompanied with the annexed letter from Mr. Grover.

*To the Select and Common Councils of the City of Philadelphia.*

The committee to whom was recommitted a report made in part, relative to the improvement of the city property fronting on the Schuylkill, south of the Permanent Bridge—state,

That agreeably to the instruction of Councils, they

\*This sample was never received.

have extended their views and inquiries as to the further improvement of that property, and submit the annexed plan and estimate, showing that the southernmost section, including the Chestnut street front and the old basin, is susceptible of great improvement, containing two wharves in the Schuylkill of sixty-five or sixty-eight feet each, with a dock on the south line of eighteen feet in width, by sixty-two feet in depth, and also an inlet into the basin as a flood gate, with a water harbour or landing dock thereon of about forty-five feet in width by two hundred feet in depth; capable of containing craft or boats of trade at all times, for the purpose of loading or unloading articles of merchandize, and at the same time leaving a space of ground on the north side of fifty feet, and on the south side of thirty-five feet, clear of the street line; and a landing at the upper end of fifty-two feet to Beach street, thereby leaving a landing and passage for portage all around the basin.

The estimate of expense for building or erecting the two wharves, and the dock on front of the Schuylkill, including the wharfing or banking up the basin, as estimated by T. D. Grover (herewith submitted), is set at seven thousand dollars, exclusive of the filling in, and for which purpose it does appear to your committee there is earth sufficient in the immediate vicinity.

All of which is respectfully submitted, in connexion with the original report of the committee.

PHILADELPHIA, Aug. 20th, 1831.

Gentlemen—Agreeable to your request, I take the liberty of stating to you the probable amount of erecting two wharves, and wharfing the basin, agreeable to a plan approved of by the committee, say seven thousand dollars, including wood, iron, stone, and labour.

Respectfully yours, &c.

THOS. D. GROVER.

JOSEPH WORRELL, Esq. Chairman of Committee.

Mr. Duane offered the annexed resolution, which was agreed to:

Resolved, by the Select and Common Councils, That the city commissioners, in conjunction with the paving committee, be and they are hereby requested to make, or cause to be made, a strict examination of the common sewer in Dock street, throughout its whole extent, and report the result of their inquiry at the next stated meeting of Councils, together with a plan and estimate of any repairs or improvements, which, in their opinion, ought to be made.

Mr. Duane offered the following resolution, which was also agreed to by the Select Council, and Messrs. Duane and Toland were appointed by the Select Council:

Resolved, by the Select and Common Councils, That a committee, composed of two members of each Council, be appointed to inquire and report, whether any measures ought to be adopted by Councils, in order to procure a regulation of the rate at which steam-boats should pass along the Delaware front of the city and liberties of Philadelphia.

The Select Council concurred in discharging the committee on Markets, from the further consideration of building a new Market House in High street from Eleventh to Thirteenth street.

The Select Council also concurred in the resolution, from the Common Council, relative to Will's Hospital.

Resolved, That the committee on Will's Legacy, be authorised to offer a premium of one hundred dollars for the best, and fifty dollars for the second best plan of a building for an asylum for the lame and blind, agreeably the intentions of the testator, and that Councils shall decide upon the plan to be adopted, on or before the 1st of January, 1832.

COMMON COUNCIL.—Mr. Wetherill presented a similar petition to the one presented by Mr. Fox in the Select Council.

Mr. Johnson presented a petition for the regulation of Third street from Walnut to Spruce streets which was referred to the paving committee.

Mr. Johnson as Chairman of the paving committee, made the following report, ordinance and resolution, which were agreed to.

The paving committee to whom was referred the petition of sundry citizens, praying that Gaskill street may be re-paved and the width of the cartway from Second to Third street be reduced to eight feet, and that of the footways increased to six feet. Report, that having viewed the said street, they are of the opinion, that the prayer of the petitioners ought to be granted: they therefore ask leave to offer the accompanying ordinance and resolution.

Resolved, By the Select and Common Councils, that the City Commissioners be and they are hereby directed to cause Gaskill street from Second to Third streets to be re-paved, and charge the expense to appropriation No. 1.

Mr. Johnson offered the subjoined resolutions which were agreed to.

Whereas the lot of ground owned by the city on Schuylkill Front and Second streets, between Chesnut & High streets, are rendered (in their present state) useless, for any purpose owing to their surface being so much below the regulation of the city lots:

Therefore, Resolved by the Select and Common Councils that the City Commissioners be and they are hereby directed to cause said lots to be filled up with earth, at such times and to such extent as the paving committee may direct, and charge the expense to appropriation No. 14.

Resolved, by the Select and Common Councils, that the City Commissioners be, and they are hereby directed, to cause Tenth street, from Sassafras to Vine street, and Spruce street from 13th to Broad street as soon as the iron pipes shall have been there laid to be repaved and charge the expense to appropriation No. 1.

Resolved, by the Select and Common Councils, that the City Commissioners under the direction of the paving committee be, and they are hereby directed, to cause Schuylkill Second street from Spruce to Walnut street, to be graduated in such manner as to make a free and easy access to the intersections of Spruce, Locust and Walnut streets, and charge the expense to appropriation No. 2.

Mr. Oldenburg made the following report on the petition of Moses Isaacs, with a resolution, which was adopted.

The committee to whom was referred the petition of Moses Isaacs, for leasing the lot of ground situated between Market and Filbert streets, on the river Schuylkill, and also for permission to make an opening into the culvert in Arch street, beg leave to report, That having duly considered his plans and proposition, deem it inexpedient to lease the same, they therefore respectfully offer the following resolution: Resolved, That the committee be discharged from the further consideration thereof.—*Phil. Gaz.*

SINGULAR ARRIVAL.—Arrived in a common Susquehanna ferry boat at Mauch Chunk, on Wednesday evening last [3d instant], Dr. (by courtesy) Joseph Parke, an eccentric character, of Luzerne county, Pennsylvania. He left that county six weeks previous to his arrival here—for what purpose we cannot exactly say—but he was armed and equipped with six grubbing hoes to extract medicinal roots, a gun and a dog. Before he reached here, his grubbing hoes, gun and five dollars in money were stolen, and his dog taken and killed by the rascally Philadelphia dog catchers—so that the poor man was handsomely "cleaned out."

He went down the Susquehanna river, passed via Delaware & Chesapeake canal into the Delaware river; thence to Easton, and then by the Lehigh canal to this place.

His intention was to have proceeded by water to Stoddartsville, but finding it impossible to stem the current of the Lehigh, he cast anchor, sold his boat, and proceeded by stage to Berwick.—*Mauch Chunk Cour.*



From the Memoirs of the Historical Society of Pennsylvania.

SOME ACCOUNT OF THE  
EARLY POETS AND POETRY  
OF PENNSYLVANIA.

By JOSHUA FRANCIS FISHER—*Read at a Meeting of the Council, July 15, 1829.*

"Quam multi tinea pascunt blattasque Poete."—*Mart.*

In the following account of the early poetry of Pennsylvania, I have endeavoured to collect all the facts still extant, which can illustrate this interesting department of our literary history. Although I have had access to but few sources of information, I shall at least be able to present a longer catalogue of poets than has yet been published, and to mention several productions which have met with unmerited neglect.

It was, at first, my intention to select specimens from the poems of each author, and to copy some of the best anonymous pieces, which from time to time appeared in the periodicals; but the present paper may be considered too long even without these extracts; and perhaps, its object will be best answered by directing the attention of others to the original publications, from which every native Pennsylvanian cannot fail to derive a high gratification.\*

The cultivation of poetry seems, at least in the British race, the strongest evidence of refinement. Among them, it was not the growth of a barbarous age, and it never was the pleasure of the humble. To discover, therefore, amongst our colonists a taste for poetry, will do much to vindicate their claim to literary advancement and intellectual refinement. That this taste existed, is to be proved, not so much by adducing one or two brilliant displays of genius, as by naming numerous and successive efforts, which, although only partially successful in their day, and altogether unworthy at the present of our admiration, establish nevertheless the fact of the constant cultivation of the art; and assure us that the best poetry of England was sought for, read, admired, and imitated, not only frequently, but constantly, by men who have been stigmatized as unpolished, illiterate, and rude.

The first twenty years of our colonial history produced, it is probable, but little poetry—nothing which deserves the name has descended to us. The exalted and cultivated minds of some of the first settlers were, no doubt, often possessed with sublime imagination, inspired by the native grandeur of the wilderness; or, when recollecting the beautiful homes of their youth, were filled with tender emotions nearly allied to poetry—but their duties were imperious, the hours spared from private labour were engrossed by public affairs; and, while we thank them for the institutions they have established, we must regret that little remains of theirs but an honourable name.

But the second generation, relieved from the toils of settlement in the forest—reposing under liberal establishments, and laws framed by the enlightened wisdom of the founder and his companions—and reaping plenty from rich and beautiful fields, cleared by the labour of their fathers—first, turned their eyes to Heaven in thankfulness, and then to Parnassus for inspiration to celebrate the beauty and delights of their happy country. Although it cannot be denied, that the tuneful inhabitants of that sacred hill rarely descended into the green valleys of our province, or that

crubuit sylvas habitare Thalia;

still their smiles were not altogether withheld from

\* I must therefore observe, in justice to the memory of our early poets, as well as to my own taste, that the verses which may be quoted in the following pages, have been selected only as illustrative of the narrative, and are in no instance to be considered as specimens of our best provincial poetry.

their rustic votaries, and this was quite encouragement enough. During the early part of the eighteenth century, several poets flourished in Pennsylvania, whose lines merited the approbation of their contemporaries. Few of these productions are now to be discovered, and those which are found in print were, it is probable, by no means the best. We must look for them in the Almanacs—a strange place to seek for poetry—but at that early day, they were the only publications to which rhymes could obtain admittance; and certainly never since have Almanacs been embellished with better verses. They are for the most part greatly deficient in poetic graces, but some of them may certainly with justice be commended for sprightliness and ease.

The want of a periodical sheet was felt by those modest geniuses, who, not confident of the intrinsic merit of their pieces, would have been happy to trust to the generosity of the public an unfathered offspring, which might not obtain favour for an acknowledged author.

The invitations of the editors of our two earliest newspapers, were eagerly accepted by a score of nameless sons of Apollo. Scarcely a week passed that some new attempt at rhyming was not made; or, to speak more appropriately, that our ancestors did not hear some young Orpheus beginning to take lessons on the lyre. These first strains certainly were not always melodious. The first poetry of Pennsylvania, may generally be characterised as inelegant, unharmonious, and spiritless; yet, there were several brilliant exceptions, which surprise us by their sweetness and vivacity, and were beyond a doubt the productions of cultivated and refined minds. There are many verses which would not discredit any English author of the last century, and still may be read with pleasure; and although, perhaps, they have not enough of originality or brilliancy to deserve a reproduction, in an age overstocked with all the lighter kinds of literature, may certainly be noticed with satisfaction, and referred to with pride.

The earliest rhythmical production of our province, which was committed to print; at least, the first of which we have any notice, has the following title: "A Paraphratical Exposition on a Letter from a gentleman in Philadelphia to his friend in Boston, concerning a certain person who compared himself to Mordecai." It was printed in the year 1693, in a small quarto of eight pages. It is to be regretted, that neither the name of the author nor of the printer is attached. The piece is of extreme rarity; and all the criticism that I am able to furnish is, "That it was a bitter attack upon Samuel Jennings, and that the lines are destitute of the spirit, and almost without the form of poetry."

In James Logan's defence of his conduct, against the charges of the assembly, which he wrote previous to his embarkation for England in 1709, I find mention of a WILLIAM RAKESTRAW, who, two years before (1707), had published "several scurrilous libels and rhymes against the proprietor" and his secretary; for which, he was judiciously sentenced "to make satisfaction." Of these libellous rhymes, we have no further notice, and their recovery I presume is not to be hoped for.

We are indebted to Mr. John Parke, an officer of Washington's army, and a gentleman of classical acquirements and cultivated taste, for the preservation of a poetic translation of some of Anacreon's Odes, and of two of Ovid's Elegies, "by the learned and facetious DAVID FRENCH, Esquire, late of Delaware counties" (now state). "They had been consigned," says Mr. Parke, "to oblivion, through the obliterating medium of rats and moths, under the sequestered canopy of an antiquated trunk." Some of them were written as early as 1718, and are therefore amongst the earliest, as they are of the best colonial poetry we are likely to discover. They are, undoubtedly, the composition of a man of learning and of taste. They discover a familiar acquaintance with the classical authors, and are so elegant and fluent in their style, that we cannot but believe Mr. French to have been a practised writer of English poet-



ry. Fame, however, has been for once unjust, and posterity has none of his original verses to admire.

All that I find of his history, is contained in the following postscript of a letter, dated August 25th, 1742: "David French was buried yesterday in Chester church by the side of his father, and Mr. Moxon succeeds him as prothonotary" (of the court at New Castle). His father was, doubtless, Col. John French, a gentleman very distinguished in the lower counties, and whose name frequently occurs in our early annals.

AQUILA ROSE has been often named, as one of the first who gained reputation as a poet in Pennsylvania. He was an Englishman by birth. At an early age, and in great poverty, he emigrated to this province, where he found employment and a wife. He was the principal workman in Bradford's printing office, and was clerk to the assembly when he died, the 24th of the 4th month (June), 1723, aged twenty-eight years. Franklin says, "he was an ingenious young man, and of an excellent character, highly esteemed in the town, and also a very tolerable poet." It may be regretted that although, in the words of one of his admirers, we have received

"his name,

Preserved to late posterity by fame,"

we have no opportunity to judge of his verses. Keimer, in his elegy, says that he was master of

"The French and Latin, Greek and Hebrew too," but I cannot rely upon the eulogium given in that curious production—as I am inclined to suspect that Keimer was guided in his praises by the exigencies of his rhymes rather than by the character of his friend.

It may be considered some compensation for the loss of Aquila Rose's poetry, that his death gave occasion to no less than three Elegies, which have descended to us. The first we meet with is a kind of eulogium, printed in the Mercury, June 25th, 1724, which was "done by Elias Bockett of London." It is written in what Keimer calls "a melting florid strain," but as a composition is far superior to his.

In February 23d, 1723-4, another piece does honour to the memory of our poet. It is presumed that the baseness of some native Pennsylvanian, introduces his "Elegy on the sight of Myris' tomb," by the following preface: "The following lines were left with the printer by an intimate friend of A. R. deceased, who, touching at Philadelphia, on his way to Great Britain, had but time to hear a relation of his friend's death, view the place of his interment, and write, without revising 'em, the following lines.

He begins with the most pathetic lamentations, and an appeal to almost every deity of antiquity. He then descends to the dryads and naiads, and thus apostrophises our river:

"With pleasure we behold, O Delaware!  
Thy woody banks become the Muses' care,  
Thy docile youth were with her beauty fired,  
And folly, vice, and ignorance retired;  
And had but Myris lived, we hoped to see  
A new Arcadia to arise on thee."

The panegyric on Myris is very extravagant. He possessed, of course, every virtue, and his poems every grace. We might do the latter more than justice, were we to credit all the encomiums in this elegy. "Love," it informs us, was "Myris' favourite theme;" and although his poetry was no doubt "able to persuade the fair" of our then rural city, it might run the risk of being pronounced, by our more fastidious tastes, rather pretty than "elegant," more affected than "tender."

The well known elegy of Keimer's, remarkable as having never been written, but "set in types, as the verses flowed from his muse," may be read with some amusement—and we may derive from it some curious traits of early manners. It has lately been reprinted, and it deserved it as a curiosity. [See Reg. vol. II. p. 263.]

SAMUEL KEIMER was a remarkable character; and although his history is familiar to every one who had read

Franklin's delightful auto-biography, he is not to be passed unnoticed in an account of our early poets.

Little is known of his early life. He promised, in one of his publications, "to present to the world for its entertainment an account of his sufferings, under the character of 'the white negro,'" but soon afterwards he quitted the province, and probably never accomplished the work. He received, if we may believe himself, a learned education—and in a very scurrilous piece, printed in the Mercury, January, 1726, Jacob Taylor particularly ridicules his charlatanism and boasting, and thus addresses him: "Thy constant care and labour is to be thought a finished philosopher and universal scholar, never forgetting to talk of the Greek and Hebrew, and other oriental tongues, as if they were as natural to thee as hooting to an owl." He learnt the business of a compositor in London, and was for some time established there as a printer. But he appears to have been unfortunate in trade, and over-burthened with the support of a wife. During the great excitement, which the preaching of the first Methodists produced in Great Britain, he became as one of "the French prophets," an unsuccessful rival of those preachers, who were destined to effect the most extensive schism which has ever mortified the church of England. He was equally unfortunate in his new employment. He suffered with his fellow-impostors, and was glad to escape from his wife and persecution together, in a vessel bound to Philadelphia. Here he arrived, it is probable, late in the year 1721; and the first notice we have of him, is an advertisement of February 5th, 1722, which I shall quote entire: for, whether it were, as his enemies asserted, that his only object was notoriety, or that he was really actuated by benevolent motives, the first attempt to elevate the character, and meliorate the condition of an oppressed race, well deserves to be recorded.

"Take notice.—There is lately arrived in this city, a person who freely offers his service, to teach his poor brethren the MALE NEGROES to read the Holy Scriptures, &c. in a very uncommon, expeditious, and delightful manner, without any manner of expense to their respective masters or mistresses. All serious persons, whether Roman Catholics, Episcopalians, Presbyterians, Independents, Water-Baptists, or people called Quakers, who are truly concerned for their salvation, may advise with the said person at his lodgings (relating to the time and place of his so instructing them), at the dwelling-house of John Read, carpenter, in High street, at Philadelphia, every morning till eight of the clock, except on the SEVENTH DAY." The advertisement ends with the following verses, which may be considered a favourable specimen of Keimer's poetry:

"The Great JEHOVAH from above,  
Whose Christian Name is LIGHT and LOVE,  
In all his Works will take Delight,  
And wash poor Hagar's BLACK MOOR white.  
Let none condemn this undertaking,  
By silent thoughts, or noisy speaking;  
They're fools whose holt's soon shot upon  
The mark they've looked but little on."

Whether he carried his scheme into execution, I have not been able to discover—he certainly kept it in view three years afterwards; for, from some wretched rhymes which form part of the piece of Taylor's above referred to, it seems he was at that time making application for a room, in which to teach his black pupils; on which occasion, he is thus assailed by his enemy:

"A school for thee! a most commodious place  
To nod, and wink, and point with such a grace—  
Thy black disciples, now immersed in folly,  
Shall start our clerks, and read, and speak like Tully:  
The preference to the sable sort belongs:  
The white man next must learn the sacred tongues.  
Thus, in just order are thy legions led  
To realms of science, Keimer at their head."

Through his whole sojourn in our province, he seems to have been borne down by poverty and disasters; and the constant object of ridicule. In a paragraph of his paper, written after his release from prison, to which he had been dragged from his bed by his creditors, he gives the following account of his persecutions by calumny and misfortunes: "It certainly must be allowed somewhat strange, that a person of strict sincerity, refined justice, and universal love to the whole creation, should, for a series of near twenty years, be the constant butt of slander, as to be three times ruined as a master printer, to be nine times in prison, one of which was six years together, and often reduced to the most wretched circumstances, hunted as partridge upon the mountains, and persecuted with the most abominable lies the devil himself could invent or malice utter; and yet all this while, never any wise, good, or even honest man, has been his enemy, or knew any evil of him, bating the little mistakes or peccadilloes of human nature." With all these professions, it must be believed that he was a knave at heart; and yet he turned his knavery to little account, for as long as we can trace his history, he was equally wretched, and when he fled from Barbadoes he was again a bankrupt. Franklin tells an anecdote of Keimer, so characteristic of them both, that I shall, I am sure, be excused for quoting it. "He formed," says Franklin, "so high an opinion of my talents for refutation, that he seriously proposed to me to become his colleague in the establishment of a new religious sect. He was to propagate the doctrine by preaching, and I to refute every opponent.

"When he explained to me his tenets, I found many absurdities which I refused to admit, unless he would agree in turn to adopt some of my opinions. Keimer wore his beard long, because Moses had some where said, 'Thou shalt not mar the corners of thy beard.' He likewise observed the Sabbath; and these were with him two very essential points. I disliked them both; but I consented to adopt them, provided he would agree to abstain from animal food. I doubt, said he, whether my constitution will be able to support it. I assured him, on the contrary, that he would find himself the better for it. He was naturally a glutton, and I wished to amuse myself by starving him. He consented to make trial of this regimen, if I would bear him company; and in reality we continued it for three months. I continued it cheerfully; poor Keimer suffered terribly. Tired of the project, he sighed for the flesh-pots of Egypt. At length he ordered a roast pig, and invited me and two of our female acquaintances to dine with him; but the pig being ready a little too soon, he could not resist the temptation, and eat it all up before we arrived."

I have noticed several of Keimer's rythmical productions. Several other pieces remain, but they are beneath criticism.

That BENJAMIN FRANKLIN was the author of verses, is somewhat surprising, for there has, perhaps, rarely existed a genius less poetical than his. The only one of his pieces deserving any commendation, which I have seen, is a kind of jeu d'esprit, entitled "Paper." Those who recollect it, need not be told that even this is not very remarkable for its poetry or its wit. In his autobiography he speaks of some ballads, which he wrote when a boy; and an examination of his almanacs would reward the search, with a number of short pieces by our philosopher, which, though they have very small pretensions, have certainly as little merit. The mind of Dr. Franklin, was, without doubt, richly endowed with useful qualities; but it possessed no imagination, and little enthusiasm, and had he been ambitious of the fame of a poet, he could only have diminished his reputation as a moralist and a philosopher.

The name of JACOB TAYLOR has already been mentioned. He is supposed to have been originally a printer; for, in the year 1712, he was sent for by the House of Representatives, and consulted about printing the laws. He afterwards kept a mathematical school in this city;

and, it is said, was at the same time a successful practitioner of physic. He was at one time Surveyor General of the province—but appears to have soon retired from office, and during the latter part of his life was a resident in Chester county.

His chief reputation was as an almanac maker, and before the publication of Franklin's well known production, his almanac was the best and most popular of several issued by the Philadelphia press. In his Ephemeris for 1736, when he was in extreme old age, he says, "It is now forty years since I published astronomical calculations, which I have frequently continued, but not without several intermissions." He died shortly after the publication of this almanac. I have already quoted some lines of Taylor's, which formed part of an attack on Keimer, who had, without authority from the former, affixed his name to what he denominates "a filthy foolish pamphlet, called a compleat Ephemeris." He continues his attack on Keimer with any thing but the calmness of an astronomer; and he, perhaps, surpasses the poor printer, in what he calls his "matchless talent at scandal, without a grain of common sense or modesty." Taylor appears to have been the contributor, not only of the astronomical calculations, but of the poetic embellishments of the almanacs published under his name; and some of the pieces have considerable merit; but his imagination does not seem to have caught from his favourite study any high degree of inspiration, for its flights were never remarkable for their vigour or sublimity.

Some of his verses were, however, neither rude nor inelegant, and in harmony and spirit nearly approach to the poetry of standard authors. The longest of his pieces is entitled "*Pennsylvania*," and was published in 1728. It may be considered one of the best descriptive poems, which the beauties and blessings of our province inspired. In the "Story of Whackum," he ridicules in a lively manner the country quacks, who, in spite of the increase of regular physicians, retained their influence amongst the illiterate vulgar. And in another poem, which is one of his best, he attacks the professors of judicial astrology, of which it seems there were several in the colony. To "Bachelor's Hall," a poem by George Webb, are prefixed some of Taylor's verses in praise of its author—but they have little merit. I shall add some lines, written by a contemporary, containing a character of our astronomer's poetry—though I am not satisfied that the criticism is just—

With years oppress'd and compass'd round with woes,  
A muse with fire fraught yet Taylor's shows;  
His fancy's bold, harmonious are his lays,  
And were he more correct he'd reach the bays.

These lines are part of a satirical production, entitled "The Wits and Poets of Pennsylvania," Part I. which was printed in the Mercury, April 1731. The author unfortunately was afraid to subscribe his name; and we have still more to regret, that he speaks of five only of his fellow-votaries of the Muses. The poem itself holds a respectable place among the native productions of the day; and I shall make use of it in my notice of the three following bard.

The first poet in this catalogue, is JOSEPH BRIENTNALL—a scrivener by profession, and a respectable member of the society of Friends. He was, I believe, the first secretary of the City Library Company, and is named amongst the earliest members of the Junto. In his account of that club, Franklin thus describes him: "He was a middle aged man, of a good natural disposition, strongly attached to his friends, a great lover of poetry, reading every thing that came in his way, and writing tolerably well, ingenious in many little trifles, and of an agreeable conversation." He continued, in a creditable manner, the essays of the "Busy Body," of which Franklin had written the first five; and we may, I presume, attribute to him the rhymed description of Market street, which forms part of the 18th No.\* Some

\* See Register, vol. III. page 299.

verses to the author of "Bachelor's Hall," are the only other poem of Briantall's I can discover, and it justifies the following character given by his brother poet:

For choice of diction I should Briantall choose,  
For just conceptions and a ready muse;  
Yet is that muse too labour'd and prolix,  
And seldom on the wing knows where to fix.  
So strictly regular is every rise,  
His poems loose the beauty of surprise,  
In this his flame is like a kitchen fire,  
We see the billets cast which mount it higher.

GEORGE WEBB was distinguished as a poet in his day. He seems to have been patronised by the gentlemen of fashion, and his poem of "Bachelor's hall" was written in a sense of gratitude to the members of a celebrated club which met at an edifice in the neighbourhood of the Treaty tree, and which had the reputation of any thing but morality among the quiet inhabitants of our city. Webb in his poem vindicates the society of bachelors from the charge of debauchery, and claims for their hall the character of a temple of science and virtue.

'Tis not the revel, or lascivious night,  
That to this hall the bachelors invite;  
Much less shall impious doctrines here be taught;  
Blush ye accusers, at the very thought!  
For other, O! far other ends designed,  
To mend the heart and cultivate the mind.

It is altogether a very creditable performance. It consists of about one hundred lines, and was printed in folio and sold at the new printing office (Franklin's) MDCCXXXI. Webb published in 1728 a short poem in praise of Pennsylvania—and many of the best pieces in the *Universal Instructor* and *Pennsylvania Gazette* were, without doubt, written by him—as he was engaged in that publication with Keimer, but I have not been able to identify any of them.

I can neither add to, nor improve the history of George Webb as given by Dr. Franklin, and I therefore quote the following: "He was an Oxford scholar" "whose service Keimer had purchased for four years, intending him for a compositor." "He was then not more than eighteen years of age, and the following are the particulars he gave me of himself. Baron at Gloucester, he had been educated at a grammar school, and had distinguished himself among the scholars by his superior style of acting, when they represented dramatic performances. He was member of a literary club in the town; and some pieces of his composition, in prose as well as verse, had been inserted in the Gloucester papers. From hence he was sent to Oxford, where he remained about a year; but he was not contented, and wished to see London, and become an actor. At length having received fifteen guineas to pay his quarter's board, he decamped with the money from Oxford, hid his gown in a hedge, and travelled to London. There, having no friend to direct him, he fell into bad company, soon squandered his fifteen guineas, could find no way of being introduced to the actors, became contemptible, pawned his clothes, and was in want of bread. As he was walking along the streets, almost famished with hunger, and not knowing what to do, a recruiting bill was put into his hand, which offered an immediate treat and bounty money to whoever was disposed to serve in America. He instantly repaired to the house of rendezvous, enlisted himself, was put on board a ship and conveyed to America, without ever writing a line to inform his parents what was become of him. His mental vivacity and good natural disposition, made him an excellent companion; but he was indolent, thoughtless, and to the last degree imprudent." He afterwards, by the assistance of a friend, was enabled to purchase his time, and became interested with his former master in the paper which soon afterwards fell into Franklin's hands. He is named amongst the original members of the *Junto*—but we have no further notice of his exist-

ence. I quote from the same anonymous piece, the following character of Webb:

Surely the Muse hath ranged the distant spheres,  
And when the Gods were speaking cock't her ears;  
Heard the decrees of thunder-flinging Jove,  
And then came back and told us all for love:  
'Twas *George's* Muse rang'd this unbidden track,  
*Webb*, who like *Banloft's*\* famed for the best back,  
For through the piece poetic genius shines,  
When thoughts sublime meet in harmonious lines:  
Where bounding *Pegasus* with loosened rein,  
Proud of the course, shewed a well ordered flame.  
Pleased with the event a second heat he try'd,  
And soar'd, 'tis true, but with a lessened pride.  
Some say he got a most confounded fall,  
And snapt a leg or two against "the Hall,"  
When the Chimerians [*Cimmerians*!] seeing eased  
his pain,

By paper stamp'd and set all right again.

The poet next notices another of his fellow citizens of Parnassus in a strain of satire, which, though really witty, is not quite sufficiently delicate for modern ears. As the person is not named, and I have been unable to discover any verses to which the character is applicable, I do not hesitate to omit it. The poem concludes with the following lines:

In *Brooke's* capacious breast the muses sit,  
Enrob'd with sense polite and poignant wit;  
His lines run smoothly though the current's strong;  
He forms with ease, with judgment sings the song.  
As the awful elm supports the purpling vines,  
So round his sense his sprightly wit entwines:  
Oh! would he oft'ner write, so should the town  
Or mend their tastes, or lay the Muses down;  
For, after manna who would garbage eat,  
That hath a spark of sense or grain of wit?

The subject of this exalted encomium was Mr. HENRY BROOKE, a young gentleman of high talents and of finished education. He is said to have been a younger son of Sir Henry Brooke, Bart, and was provided for by a settlement at Lewistown, Sussex county, as collector of the customs. Of his separation from his friends and seclusion from polished society he constantly complains in a series of letters to James Logan, distinguished for their elegance and sprightliness. The only specimen of Brooke's poetry which I have met with is entitled "A discourse on Jests."† It is addressed to Mr. Robert Grace, whom Franklin describes as "a young man of fortune, generous, animated, and witty, fond of epigrams, but more fond of his friends." It rallies him on the subject of "his darling bosom in a jest" with much good sense and good humour. It may be pronounced a sprightly and pleasant treatise on false wit, and proves its author to have been not only an imitator of good models, but himself the possessor of a lively wit and a refined taste. Mr. Brooke became very eminent in the lower counties, was for several years Speaker of their assembly, and, in 1720, was appointed a Master in Chancery by Sir W. Keith. He died in 1735, in the 57th year of his age, and the *General Magazine* of 1741 contains a poetic tribute to his memory, which describes him as an accomplished linguist, and an adept in almost every science.

I must not omit the names of three early friends of Dr. Franklin, who seem to have dedicated some of their hours to the Muses, although the productions of two of them are not to be discovered, and perhaps did not merit preservation.

"My most intimate acquaintances," says he, "were CHARLES OSBORNE, JOSEPH WATSON, and JAMES RALPH, young men who were all fond of reading. The two first were clerks to Mr. Charles Brockden, one of the principal attorneys of the town; the other clerk to a merchant.

\* William Banloft, a noted stable keeper.

† See Register, vol. IV. page 391.



Watson was an upright, pious and sensible young man; the others were somewhat more loose in their principles of religion, particularly Ralph, whose faith, as well as that of Collins, had contributed to shake; each of whom made me suffer a very adequate punishment.

Osborne was sensible and sincere, and affectionate in his friendships, but too much inclined to the critic in matters of literature.

Ralph was ingenious and shrewd, genteel in his address, and extremely eloquent. I do not remember to have met with a more agreeable speaker. They were both enamoured of the Muses, and had already evinced their passion by some small poetical productions."

This account introduces an agreeable description of their literary recreations in the retirement of "the woods which border the Schuylkill, where they read together, and afterwards conversed on what they read." He gives a lively sketch of their poetical competitions, which fixed Ralph at least, his resolution of becoming a poet. The subsequent history of Ralph, as told by Dr. Franklin, contains some anecdotes which do no great honour to either of them. They went to England together in 1724. There Ralph applied himself professionally to literature, but in his choice proved an unfortunate one, and talents which might have gained him high reputation in our province, were overlooked in the British metropolis. Between the years 1730 and 1745 he published several plays, some of which were acted at Drury Lane, but without even a temporary success. The names of four of them are "The Fashionable Lady," "Fall of the Earl of Essex," "The Lawyer's Feast," and "The Astrologer." Depending for his support on these exertions he was constantly disappointed and always in want, and his letters dated at this period were written in all the bitterness of mortification and penury. As a political writer he was somewhat more successful. He was the editor of several scurrilous periodicals, and was a distinguished member of the corps of scribblers who incessantly attacked the measures of the administration. He acted for some time as a partisan of Mr. Duddington, afterwards Lord Melbourne, and enjoyed, it is said, the confidence of the Prince of Wales, then in the ranks of the opposition. But his pen had its price and was finally purchased or paralysed by a handsome bribe from Mr. Pelham.

In the last literary production of Ralph, "The Case of Authors stated, with regard to Booksellers, the Stage, and the public," he has described with success the ills and disappointments which he seems to have encountered and represents the profession of an author as the last a noble and liberal mind ought to select. Even then, perhaps he did not suppose that a diligent inquiry for his works would be rewarded only with their titles. The names of some of his poetical efforts are "Zeuma," "Clarinda," "The Muse's Address," &c. A poem called "Sawney," drew down upon him the satire of Pope, embittered perhaps by political animosity; and another piece published some time before, entitled "Night," is referred to by him in the caustic but elegant couplet,—

Silence ye wolves, whilst Ralph to Cynthia howls,

Making Night hideous—answer him, ye owls!

The reputation of Ralph as an historian is more honourable, his history of the reigns of William, Anne and George the First, gained for him, from Fox the character "of great acuteness as well as diligence," and is pronounced by Hallam to be the most accurate and faithful history of those times. The folios of this work are not often opened, but they have a place in all our libraries, where they remain the only monument of this early poet of Pennsylvania.

James Ralph died at Chiswick in 1762. If he did not possess the genius of a poet, he at least exhibited talent as a political writer of no mean order. He is praised by his contemporaries for his great application, and is said to have made himself master of the French and Latin, and to have had some knowledge of the Italian language. It is not surprising that his integrity as a

writer did not withstand the temptation of a bribe, and his fault is perhaps palliated by his poverty, and the frequent examples of his contemporaries.

Contemporary with most of the writers I have mentioned, was WILLIAM SATTERTHWAITE, an Englishman by birth, and a man of considerable learning. He is said to have received collegiate honours, but this is improbable; and the humble station of a village schoolmaster is rarely the lot of a graduate at either of the sister universities. A female pupil was once benighted on her road homewards, he offered her the hospitality of his school-house, and the evening was long enough for their courtship and marriage. The imprudence of the step soon struck them, and they sailed for Pennsylvania in quest of better fortune. They settled in Buck's county, where Satterthwaite resumed his old employment; but he still was persecuted by fortune; and his poverty was rendered even more bitter by the ill temper of his wife, who, it is said, on one occasion, attempted to poison him. But he sustained his ills with equanimity, and was in the end rewarded; for, it is said, he at last became easy in his circumstances, and his old age was rendered comfortable by the generosity of a patron. This patron was Jeremiah Langhorne, a gentleman of excellent talents, and of liberal mind, who was for many years distinguished in the provincial assembly, filled several of the highest offices, and succeeded James Logan as chief justice.

Several of Satterthwaite's poems have been transmitted to us; one, denominated "Mysterious Nothing," was written in 1738, at the instance of several young ladies. It is neither witty nor original, but is deficient neither in ease nor in harmony. It was, I believe, republished some years afterwards, and with it was printed "An Elegy on the death of Jeremiah Langhorne," and a poem on "Providence." He also wrote another piece, entitled "A Religious Allegory of Life and Futurity, addressed to the Youth." His poems, generally, are commendable for the pious sentiments and amiable feelings which run through them. They cannot lay claim to great brilliancy or elegance, but they show their author to have been an admirer and imitator of the purest models, the poetry of Homer and Virgil.

Every person who has looked through the early numbers of the Mercury, and of the Pennsylvania Gazette, must have noticed several salutary and panegyric odes addressed to our Governors and other great men of the province, which have a family rudeness and vulgarity even below the usual mediocrity of similar pieces, and which may, I suppose, be safely attributed to the first *Professional Poet* our country produced. This was JOHN DOMMETT, of whom the only knowledge we possess is derived from an elegy to his memory, printed in the Mercury of July 26th 1738. The genius of its author was a kin to that of the deceased. In strains altogether worthy of him, it praises his wit and good humour, and the fecundity of his muse; but gives him the character of a drunkard, whose wretched life was sustained, and whose vices were encouraged by the bounty of those, to the praise of whom he had devoted his pen. He died at Whitmarsh, July 22d, 1729; and in an epitaph, a postscript to the elegy I have mentioned, the features of his character and fortune are thus summed up:

Wealthy whilst rum be had, was John, yet poor  
'Cause worth but little, rich, 'cause crav'd no more;  
Him England birth, Heaven wit, this Province gave  
Food, Indies drink, Rhymes pence, Whitmarsh a grave.

As a rhymster, the name of John Dommett merits a place in this paper, and though we must pronounce his verses to be amongst the worst which were produced in this province, we ought perhaps to recollect; that there is nothing so rarely well treated, and in which so many men of genius have failed as panegyric. Dommett appears to have written verses on a variety of subjects, but I do not know that any of them have descended to us.

[To be continued.]



For the Register of Pennsylvania.

# THE ALCHEMIST.

No. XXVII.

## ON AMERICAN CRITICISM.

[SECOND ARTICLE.]

Such once were Critics! such the happy few  
Athens and Rome in better ages knew — *Pope.*

How far do the reviewers of the present age and country correspond with the character to which allusion is made, in the above warm and impassioned exclamation? To what extent would their merits be acknowledged by the critic bard; the powerful and commanding genius, who published his maxims of authorship in early life, and then proved them correct by the unparalleled success of his productions? In the unchecked succession of desultory amusement, or the heat of controversy, it is beneficial to resort occasionally to first principles, to recur to those fixed rules the truth of which has been felt in ages the most remote and climates the most dissimilar, and which have been from time to time committed to the written page by those whom the common consent of mankind has invested with the character of permanent authorities in criticism. I shall therefore, without further preface, or any apology, copy the whole of the passage; an extract which expresses, better than any other language can do, the office and duty of a critic, and which I think so valuable as to be well worthy of a renewed perusal, although it has already served for a motto to one of my former essays.\*

"But where's the man who counsel can bestow,  
Still pleas'd to teach, and yet not proud to know?  
Unbias'd or by favour or by spite;  
Not dully prepossess'd, nor blindly right;  
Though learn'd, well-bred; and though well-bred,  
sincere;

Modestly bold, and humanly severe;  
Who to a friend his faults can freely show,  
And gladly praise the merit of a foe;  
Blest with a taste exact yet unconfind;  
A knowledge both of books and humankind;  
Gen'rous converse; a soul exempt from pride,  
And love to praise with reason on his side?"

To the importance of the office of a reviewer I have already alluded in my last number; and it will not be unreasonable to ascribe to such a charge a corresponding dignity. A critic is, in reality, what the word imports, a *judge*; and he is unquestionably bound to preserve all the impartiality and calmness of the character. Independently of matters of mere taste, his judgment is occasionally of quite as much importance to the private rights of individuals as that of the corresponding legal officer. The estimate set upon the merits of an author has the most powerful influence not only upon the comfort of his existence, but upon his pecuniary interest, and sometimes, in fact, brings in question the existence of life itself. Proportionable to this responsibility is the elevation of the stand assumed by the great lights of criticism; by Aristotle, by Horace, by Boileau, and by the author of the splendid poem from which I have been quoting.

Yet among the reviewers of the present day, and on both sides of the Atlantic, it will, I think, appear evi-

dent that the fairness of the judicial office has been forgotten, and that those who are in reality the advocates have been allowed quietly to seat themselves upon the bench. Journals have been instituted, large sums of money lavished, and the first talents of a great nation secured, with the object, in a literary point of view, not of judging impartially among the successive productions of the day, and making their various degrees of merit more widely known, but of writing up or writing down particular sets of men, and assisting in the efforts of well known political and business combinations. In order to avoid being misunderstood, I will at present confine myself to what we witness among the great periodicals of the British islands. In the partiality shown to the volumes produced by a whig author, the severity used towards Tories, the almost indiscriminate praise of all Scotchmen, and the various preferences and dislikes ascribable to the private feelings of its editors, but visible in its pages, enough may surely be found to convict the Edinburgh Review of being, instead of a candid and just tribunal, the mere rostrum of a set of determined, able, eloquent and persevering pleaders, whose side, in relation to most points which may be brought into dispute, is already taken, and whose efforts are continually and resolutely bent to the extension and perpetuation of their already powerful empire.

In connexion with this, various interests are to be promoted and opposed, as their mutual co-operation and reaction may indicate, or as may gratify individual feelings; interests which are well known to the world, and which it is not necessary for me to stop to enumerate. In like manner, the Quarterly is guided by partialities of an opposite class, and which are carried to so absurd an extent as to give rise, in the midst of papers exhibiting the most resplendent talent, to outbursts of a strange and extravagant hatred towards republican institutions of all ages and countries. In the warmth of their support to oligarchy, the writers in that journal seem to carry a feeling of personal and individual resentment, such as generally belong to a private and interested partisanship, into the highest antiquity and the most remote locality; they enter into a furious political quarrel with the Athenian dicasts, and, upon the institutions and customs of the United States, they insert those extraordinary effusions which have so often attracted the wonder, indignation and ridicule of our staring countrymen. If we examine further, we shall find an extension of the same principle. The Westminster Review is the distinct promulgator and defender of the doctrines of Jeremy Bentham; and to omit minor journals, the only important exception seems to be the Foreign Quarterly, which professedly undertakes the protection of the too much neglected literature of the continent of Europe; a task perhaps, the most useful and just of them all.

What then is the cause of this insidious creeping of the advocate upon the bench of justice? Is some concealed advantage sought for by thus adding to what would otherwise weary as didactic dissertation, all the piquancy and interest of an animated personal discussion? Here then is much reason to believe lies the real secret. For the sake of gaining the air of novelty, and

a personal interest in the criticism, the writer leaves his proper station, and, from a judge, becomes a relentless partizan. The occasion is not forgotten for the laudable task of puffing a friend or even a countryman; but the principal zest of the banquet is to be derived from the more stimulating condiments. An entire meal of sweet things would sicken the most liquorish palate; and a relish must be obtained for the confectionery by the previous methodical application and adequate supply of pepper, mustard and vinegar. The consequence is, that this mode of writing, instead, of a source of calm and philosophical instruction to mankind, becomes a channel for the free indulgence of the most violent dislikes and antipathies. Hence the furious passions into which the reviewer puts himself with the offending author, the style of utter denunciation, the declaration that such a brood of writers or such a body of doctrines, must be extinguished; &c. &c., with other marks both of an existing despotism and of a tyrannical administration of it. The public mind gradually becomes accustomed to the compound, and learns to consider it a thing of course. The character of Messrs Gall and Treacle, the reviewers, have been happily ridiculed in the well known and amusing novel of *Headlong Hall*; but the bitter and the molasses have become habitual with the reading community; and the satire of our novelist flashes harmless against a mound, to penetrate which to any dangerous extent is far beyond its keenness.

To the influence of the above periodical works, extensively read, and much imitated on this side of the Atlantic, is probably mainly owing the habit, so generally indulged among us, of imagining bad authors worthy of excessive severity. We catch our opinions and practices from England, both directly and by imitative works published in our own country. That this is the real source of the evil, may perhaps be denied by some. Thus, it is not unfrequently argued that the self-conceit of a scribbler reaches such a pitch, that nothing but the last degree of severity can ever make an impression on a substance so impassive. It is enough, in reply to this merely to observe, that, in repelling scribblers, not only is mild satire inefficient, but that which is most powerful and severe is scarcely ever productive of the least effect. Those against whom it is aimed, are generally in want of the means of daily support; they apprehend themselves unlikely to succeed in any other pursuit; and it is impossible to persuade men to relinquish the efforts by which they are endeavouring to obtain the necessary comforts of life for their families. And whether, in a given instance, this be or be not the case, experience generally shows that it is not the blockhead, but the man really endowed with taste and feeling, that suffers with the blow. The individual so effectually under the influence of self-conceit as to be thereby debarred from progressive improvement and the ultimate chance of distinction, escapes unhurt, and suffers the lash to fall upon those who possess keener sensations.

That personal and unmannerly reviewing is altogether unnecessary, may be proved by the example of France. In that country, satirical comment, though less frequent than in England, is occasionally practised to its full extent; the whip is applied vigorously, although generally with

judgment and discrimination. Yet calling names, personal attacks upon the author, and utter denunciations, are just as rare in French reviews as similar offences are in French society, and the whole system of criticism seems to be strictly controlled by the national politeness. By thus preserving their temper, French reviewers are enabled frequently to extract useful materials from publications which we have been accustomed to consider as of a very insignificant class. This may be seen by referring to the pages of the *Revue Encyclopédique*; in which articles are continually to be met with, furnished by the most learned hands, and giving an account of volumes which in England or with us would be considered far below the dignity of the critical tribunal. School books, pamphlets, and local publications are there constantly made the source from which valuable facts and reflections are drawn for those who know how to use them. And certainly, I need not fear to suggest the question whether the literature and science of France, are inferior in their tone to those of England or America, or rather, whether they are not decidedly superior? Unnatural reviewing, if I am correctly informed, is not prevalent either in Germany or Italy; seeming to be the peculiar growth of the English and Scotch soils; and there is certainly nothing, in the unexampled learning and scientific eminence of the three continental nations which I have just named, at all calculated to exhibit them as having suffered in the comparison from the want of an adequate severity in criticism.

If leisure and inclination suffice, I may, at some future day, take up this subject again, and commit to paper some further remarks upon the present state of our poetry and poetical criticism; and I may possibly select a volume or two in exemplification. P.

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From the Bradford Settler.

#### TAXATION.

##### *To the Taxable Inhabitants of Bradford County.*

FELLOW CITIZENS:—The time is fast approaching when it will be our duty to elect Assessors in the several townships, whose duty it will be, together with the commissioners of the county, to fix upon some uniform standard for the value of property made taxable by law, which when established will be a governing principle as to the amount of taxes to be paid by each citizen for three years: At a time then, when our county rates are likely to be increased by the establishment of two weeks court, and other causes; and in addition thereto a state tax is to be levied and property not heretofore taxable is to be taxed for state purposes—it behoves us to call our minds to the subject in order that the law which assuredly directs an equitable valuation should be strictly complied with. The law requires the commissioners and assessors when met, to form "a standard to ascertain the *bona fide* value of all property made taxable; taking into consideration improvements, *proximity to market* and other *advantages of situation*, so that the same *relative value* may be observed as it respects *wards, townships, &c.*, that is observed in the valuation in the *same township*. See act of 28th March 1808, which is one of the supplements of the act of April 11th, 1799; which last mentioned "Act" requires the assessors and their assistants to value the property made taxable at what it will "*bona fide* sell for in ready money." It is very evident therefore, that the Legislature intended, what justice requires, to wit: that property made taxable, should be rated in assessments at its *cash value*;

and that the supplement of 1808 was intended to bring into a general view of all concerned, (and equalize) the relative value of real estate in different townships in the same county, taking into consideration "proximity to market and other advantages of situation."

Having called your attention to the simple fact that the law requires justice, and believing that justice is desired by all, I now ask you to take into consideration the standard previously formed in this county, and I will attempt to show in a few words that they neither conform to justice or law.

*Firstly*, Unseated lands throughout the county have been valued at one dollar and fifty cents per acre. Now I am bold to affirm, that every man acquainted with unimproved lands in this county, to any considerable extent, knows that simply considering their quality, there are many tracts worth five dollars per acre, and many that are not worth fifty cents. Where then I ask, in the name of justice or law, is the propriety of putting them all at one price? Again—every person knows that a tract of unseated land situated on a public road, a stream of water, near a settlement, a mill and a market is worth four times as much in *ready money*, by the acre, as a tract of the same quality of land situated six or eight miles from any settlement, stream, market or road and separated from them by hills almost impassable. Where then is the propriety of disregarding the advantages of situation? I do not attempt to say that the aggregate valuation of unseated lands is too high; but I do say that their relative valuations appear to me palpably unjust.

*Secondly*, Townships have usually been classed in three classes; and the seated lands in each township or class rated in three rates. By the standard last formed, which is now before me, it appears that in the first class of townships, improved land is rated, and valued by the acre, as follows, viz. First rate, \$25 00—2d rate \$18 00—3d rate \$5 00.

*Second Class.*

First rate, \$12 00—2d rate \$8 00—3d rate \$4 00.

*Third Class.*

First rate, \$10 00—2d rate \$5 00—3d rate \$3 00.

A resolution passed at the meeting which formed the standard rates as follows, viz: *Resolved*, That the Assessors have power to value personal property, trades and occupations, either over or under the average price as the true value may be; by which it appears conclusively that no discretion is left with the assessors and assistant assessors respecting real estate, but renders the power of assistants wholly nugatory.

This appears to me to be wholly wrong; *first*, in fact, as it is unreasonable for men to fix a value upon lands which nine-tenths of them are unacquainted with, as is generally the case with the assessors aggregately: *Secondly*, in law, as they exercise a power manifestly given by law to the several assessors and their assistants: *Thirdly*, in equity, as it fixes the price of improved lands at three prices not to be departed from when it is obvious that the *cash value* of lands is as various almost as the number of farms. One simple fact will illustrate the impropriety of that mode of classing townships and rating lands. Towanda township is in the first class of townships—first rate of land \$25 per acre. Monroe township is in the second class—first rate of land \$12: Towanda creek is the line between the two townships. A tract of intervalle lands of like quality is divided by the creek. That part of said intervalle lying in Towanda is valued at \$25 per acre, and consequently is taxed more than double of the same quality in Monroe but a few perches from it, as that cannot be valued above \$12 per acre. Another fact will show its unjust operation in another point of view: The assessor and assistants feel bound by the standard to rate the several lots of improved land in their township according to quality and improvements; by which means proximity to market and advantages of situation have no weight in fixing the value at which it is assessed. Enough has now been said to awaken attention: A remedy for these evils it

may be difficult to prescribe. I take it however, that the true value of improved land is just that sum that it will pay the interest of after deducting from the proceeds the sum necessary to keep it in repair, to pay the expense of cultivation; and expenses of preparing for and carrying to market—and these expenses will depend much upon the local situation as well as the quality of the land.

I cannot but believe, therefore, that every reflecting citizen will see the necessity of selecting for assessors on the triennial year those men who will be most likely to comprehend this complex subject, and who possess coolness and firmness to enable them to act with prudence, judgment, and a steady eye to the great object of equal taxation in forming the standard. To fix upon the value of a few lots of improved land of which the quality of sale or productiveness, advantages of situation, expense of cultivation, &c. are clearly defined, as a *standard of comparison* for the assessors and their assistants in the respective towns to be guided by, appears to me to be all that is necessary on that point; which, with others governed by the same rule, would put an end to the complaints so frequently and justly made against unequal taxation.

A FRIEND TO EQUITY.

Towanda, August 5, 1831.

STEAMBOAT EXPLOSIONS.

The last number of Silliman's Journal has a review of Professor Renwick's Treatise on the steam engine. The following list of explosions of steam boat boilers in the United States, is copied from the review.

HIGH PRESSURE.

Names.	Places of explosion	Numbers Killed	Wounded.
Constitution,	Ohio.	13	
Gen. Robinson,	Mississippi,	9	
Yankee,	do.	4	
Herriot,	do.	1	
Etna,	N. Y. Bay,	13	
1828 Grampus,	Mississippi,		unknown.
Barnet,	Lg. I. Sound	1	
1831 H. McGregor,	Mississippi,	32	14
		73	14

LOW PRESSURE.

Previous to 1825.

Names.	Boiler.	Places of explosion.	Killed.	Wounded.
Enterprise,	cop.	Charleston, S. C.	9	4
Paragon,	do.	Hudson river,	1	1
Alabama,		Mississippi	4	
Feliciana,		do.	2	
Arkansaw,		Red river,	4	
Fidelity,	cop.	N. Y. Harbor,	2	2
Patent,	do.	do.	5	
Atlantic,	do.	do.	2	
Bellona,	do.	do.	2	
Maid of Orleans,		Savannah river,	6	
Rariton, unknown,		Rariton river,	1	
Eagle,		Chesapeake	2	several.
Bristol,		Delaware river,	0	1
Powhatan,	cop.	Norfolk,	2	
1824 Jersey,	do.	Jersey City,	2	
1823 Tesch,		Mississippi,	0	several.
Constitution,		Hudson river,	3	
Legislator,		N. Y. Harbor,	5	2
1826 Hudson,		East river,	0	1
Franklin,		Hudson river,	1	
Ramapo, in Jan.		New Orleans,	5	2
		do.	1	1
1827 O. Ellsworth,		L. I. Sound,	3	
1830 Carolina,		N. Y. Harbor,	1	
Ch. J. Marshall,		Hudson river,	11	2
United States,		East river,	9	
1831 Gen. Jackson,		Hudson, (sup)	13	13
			96	29

<i>Character of Engines not specified.</i>			
Cotton Plant,	Mobile,	unkno.	unkno.
Washington,	Ohio river,	do.	do.
1826 Macon,	South Carolina,	4	
1827 Hornet,	Alabama,	2	2
1826 Susquehannah,	Susquehannah,	2	
1827 Union,	Ohio river,	4	9
1830 Wm. Peacock,	Buffalo,	15	
New Caledonia,	Mississippi,	11	11
Kenhawa,	Ohio river,	8	4
Car of Commerce,	do	28	27
Atlas,	Mississippi,	1	
Andrew Jackson,	Savannah river,	2	
1831 Tri-Color,	Ohio river,	8	8
		85	61
Total killed, 254—Wounded, 104.			

### BOARD OF HEALTH.

GEORGE GORGAS, Treasurer, in account current with the Board of Health.

1830.	DR.	
Jan. 1.	To balance due the Board,	\$190 93
Sep. 3.	To loans,	1984 33
	To cash received of F. Erringer, in full of taxes for 1828,	86 97
	To do. of Henry Benner, do. for 1828,	111 60
11.	To do. for fees on vessels omitted,	100 00
Dec.	To do. for rent of part of lot,	10 00
	To do. of Joseph Pryor, clerk for interments in Blockley burying g'd, 38 00	
	For seven bills of health,	3 50
		41 50
	To cash received of William Mandry, Health Officer.	
	Fees on vessels from foreign ports,	3176 25
	Fees on vessels coastwise,	1858 50
	Fees, head money on passengers,	3148 50
	Do. sundry persons for poudrette,	871 50
	Do. for removing nuisances,	1350 19
	Total,	\$12,930 27

1830.	CR.	
Dec. 31.	By cash paid, orders drawn by the Board of Health, No. 1 and 153, and charged to the following accounts, viz.	
	HEALTH OFFICE, for Port Physician, Health Officer, Clerk, and Messengers salaries, Bargemen and Superintendents of Poudrette Lots' wages, Collectors on the Delaware and Schuylkill, Rent of Health Office, repairs of Poudrette Lots, Auditor's Bill, Carriage Hire, Interest of Money, Lumber for Lots, Wood for the Office, Printing, Advertising, and incidental expenses,	\$5129 27
	LAZARETTO, for Steward, Physician, and Quarantine Master's salaries, Bargemen and Gardener's wages, Steward's Bill of Supplies for the Institution, Lumber, Carpenter's Bill, Furniture, Taxes, New Boats, Paint and Oil, Wood, Carrying the Mail, and Incidental expenses for the year,	3975 60
	CITY HOSPITAL. Bill of repairs,	96 52
	LOANS. Repaid,	1000
	Charged to sundry persons for removing Nuisance,	468 02
		12669 41
	From which deduct a balance in favour of Joseph Pryor, Clerk, which will be accounted for in 1831,	18 95

12650 46

Balance in favor of the Board,	279 81
	Dollars 12,930 27

### Statement of the debits and credits of the Board of Health, 1830—December.

To one quarter's rent of Health Office, due the Trustees of the University,	\$100 00
Loans for the Board's Notes, remaining unpaid December 31, 1830,	2000 00
A balance due Joseph Pryor, December 31, 1830,	18 95
Balance in favour of the Board,	448 31
	\$2,567 26

### 1830—December.

By outstanding Taxes, due from John Mease, for the year 1814,	\$1,238 65
Liberty Browne, 1814,	593 19
By balance due from Jacob Gardiner, on account of Health Tax, for the year 1828, Penn Township,	\$344 69
By amount due from sundry persons for removing nuisances,	447 58
By amount of Duplicates of Health Tax, for the Districts of east and west Southwark, and township of Moyamensing, for 1828,	1,495 18
By Suspense Account,	2,265 41
	\$4,097 25
By balance in the hands of Geo. Gorgas, Treasurer, December 31, 1830,	279 81
	\$2,567 26

By order of the Board of Health,  
JOSEPH PRYOR, Clerk.

August 30, 1831.

### MATCH CHUCK, August 22, 1831.

We understand that the Lehigh Coal and Navigation company are about suspending their shipments of coal to tide, for the present, and until the Delaware Division of the Pennsylvania canal; and also the Morris canal are put in order for navigation. The former it is supposed will be in order for the regular passage of boats during the two months ensuing, and the latter during the two coming weeks. In the mean while, most of their force will be applied to finishing a Railway to their new and extensive mines.—*Courier*.

FECONDITY.—The Williamsport (Pennsylv.) Chronicle says: Yesterday morning, the wife of Mr. Oliver M'Caslin, of Fairfield township, in this county, gave birth to two daughters and a son—they are all well and hardy. At a birth previous, she had two daughters and a son—they were also fine stout children, but one of them is living at this time.

A new township has been erected in York county, Pennsylvania—being part of the fertile valley in which Dillsburg is situated—and the township is named CARROLL, in honour of the last surviving signer of the Declaration of Independence.

### Appointment by the Governor.

JOSEPH HEMPHILL, to be one of the associate judges of Beaver county, in the place of the Hon. David Drennan, deceased.



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 11. PHILADELPHIA. SEPT. 10, 1821. NO. 193.

From the Memoirs of the Historical Society of Pennsylvania.

## SOME ACCOUNT OF THE EARLY POETS AND POETRY OF PENNSYLVANIA.

[Continued from page 156.]

The poets who have been already named in this paper, were many of them Englishmen by birth, of respectable but humble families, though frequently of extensive acquirements, who had sought in our province that competence and ease which might enable them to gratify their taste, and prosecute the studies of their youth. The rest were young Americans of the better provincial families, who, though not deeply learned, discovered in their boyish verses a tincture of the letters which their fathers had brought with them from Britain. An acquaintance with the classics of Rome, and with the popular authors of England, is undoubtedly to be inferred from these compositions; and though they lie under the usual disadvantage of imitations, they not only often emulate the ease and elegance of their models, but at times seem even to have caught no small degree of their spirit. The extent to which poetry was cultivated by our early inhabitants, and the encouragement which it received in all classes, will astonish those who have adopted the current opinions as to our primitive illiterateness; when they recollect that all this was previous to the establishment of our Library and our College, and before even the warmest admirers of Franklin can pretend that Philadelphia received that impulse in every species of improvement which is generally attributed to him. This is the more gratifying, as I do not believe there is one of us who has not been often mortified at the insinuation, that our ancestors owed their very civilization to a single stranger.

I have already mentioned the anonymous pieces which appeared in our newspapers. The merit of several of them is of a very high order; superior certainly to that of most of the acknowledged poems which were printed, and I might refer to three productions of the year 1731, entitled "A Journey from Petasco to Annapolis," "Verses on the Art of Printing," and "A Fable, the Dog and the Fox," with a confidence that they would do more than justify my assertion.

Several other poems of that period, prove that their authors were the possessors of most of the poetic qualifications, and well deserved the favour with which our ancestors received them.

The Latin poetry which was written in our colony is not to be passed unnoticed. I recollect but few instances where modern poetry has been able to clothe itself gracefully in Latin verses; and I am certain, I do not hazard much in asserting, that the taste of Horace or Quinctilian would not be satisfied with any modern composition in their native language. Our ignorance of many of its idiomatic niceties has been admitted by the most accomplished scholars, and always render hopeless any competition with our Roman masters; still, we must admire the fluency and accuracy which distinguish the Latin productions of many European scholars, and applaud the success of schoolboys in one of their most difficult and useful exercises. Our early Professors of *Humanity* were not behind their European brethren in their classical compositions; and, without doubt, their

well used birches would often set upon their feet the stubborn hexameters of their pupils. But it is time to notice THOMAS MAKIN. He must have been one of the earliest settlers in our colony; for, in 1689, we find him named as an usher under George Keith, in Friends' public grammar school; and in the following year, he succeeded Keith as head master. After this, he was several times chosen clerk of the provincial assembly. Of his obscure and quiet life we have few other particulars. His school in Philadelphia was not very lucrative, and he abandoned it, I believe, for one of the settlements in the interior, where

*Pueros elementa docentem*

*Occupat extremis in vicis balba senectus.*

In 1728 and 1729, he dedicated to James Logan two Latin poems, which are still in the collection of MSS. at Steenton, and "which seem to have been written," says Robert Proud, "chiefly for amusement in his old age." One is entitled "Encomium Pennsylvaniae;" and the other "In laudes Pennsylvaniae poema, seu descriptio Pennsylvaniae." These poems celebrate the institutions, the productions, and the scenery of our province; in alternate hexameters and pentameters, which have been called rude, but which, at least, deserve praise for metrical correctness and descriptive fidelity. Some extracts from these pieces are to be found in the 2d vol. of Robert Proud's history, who has added a translation in English rhyme.

About the year 1741 lived WILLIAM LOURY, the author, it is supposed, of several Latin odes which were at that time published. His history is entirely unknown, and his name would have been equally so, had it not been subscribed to a piece which has the following title—

"De morte luctuosa celeberrimi Andree Hamiltonia Armigeri, qui obiit iv Augusti MDCCXXI.

This was printed in the Pennsylvania Gazette of Feb'y 17th, 1742. Another piece which I am inclined to attribute to the same author, is a *Carmen Gratularium* to Governor Thomas, which appeared the previous year in Franklin's Universal Magazine. The poetry of these compositions I am unable to praise, for it must be admitted that their author has pronounced

"In deep parade of language dead

"What would not on his own be read;"

but I should do him injustice, were I not to commend his knowledge and adaptation of the Roman idiom, which, like the weighty paenologies of our ancestors, can never again be used with gracefulness.

But by far the best Latin verses which have been published in Pennsylvania are those of Mr. JOHN BEVERIDGE. He was a native of Scotland, and taught at Edinburgh a Grammar school under the patronage of the celebrated Ruddiman. Amongst his pupils was the blind poet Thomas Blacklock, to whom he sends in some English verses his own reasons for writing poetry, and whose fine Paraphrase of the 104th Psalm he rendered into Latin verse.

It appears that he emigrated to New England in 1752, where he remained five years, and contracted friendships with the famous Dr. Jonathan Mayhew and other eminent scholars. In 1758 he was appointed Professor of Languages in the College and Academy of Philadelphia. His knowledge of Latin was accurate and pro-

fourd, but he did not possess the art of teaching; and though inclined to be severe, could never command attention nor respect. Some amusing anecdotes of this learned pedagogue are to be found in Mr. Alexander Graydon's interesting memoirs. In 1765 he published by subscription a small collection of Latin poems, entitled "Epistolæ et alia quædam miscellanea." These consisted of lyrical odes addressed to his friends in Scotland and Massachusetts, of "Carmina Gratularia" to several provincial governors, and of one or two pastorals. Of these the odes are decidedly the best; for although it is impossible to agree with one of his admirers that they prove his ability to "contend with Flaccus on the Roman Lyre," yet they are remarkably easy and lively, and will almost bear without blushing the encomium of Mr. Park, "that they imitate the verses of the first of Latin poets in pureness of language and variety of versification." The panegyric verses of Mr. Beveridge are as extravagant and inflated as any others of the same class; and, when we recollect that every follower of Theocritus has failed, we will not be surprised that the humble genius of a city schoolmaster could not accomplish even a tolerable pastoral. On the whole, the Latin verses of Beveridge are correct, and to modern ears harmonious; and if they do not prove him to have been a poet, at least do honour to him as a scholar and a man. Along with his Latin effusions are printed two pieces of his English rhyme, but these may justly share the criticism which the others have received.

In the Pennsylvania Gazette of August 2d, 1736, is printed a Sonnet, and in that of August 12th, an Elegy on the death of Gov. Gordon, written in French by Mr. JOHN SOLOMON. The verses are by no means extraordinary, and all that we know of their author, we learn from an advertisement of June 24th in the same year, in which he professes to be a Parisian, and offers "to teach the Latin and French languages after the most easy and concise method to the gentlemen and ladies of Philadelphia." Mr. Solomon was the third or fourth professor of the French language whom we find established in this city; a fact, which will, I think, excite astonishment when the period and the condition of our province are considered, and which must elevate our opinion of the learning and refinement of our ancestors. At the present day the French language is so universally studied, that it is hardly considered an accomplishment, but at that early period it could only have been learnt as a key to the rich treasures of its literature.

It will not, I think, be out of place to notice that the German colonists of Pennsylvania were not all destitute of poetic talent. The learning of some of their leaders, it is well known, was extensive and profound; and though we have no reason to suppose that they often descended to amusements so unsuited to their religious gravity as the lighter kinds of poetry, we have several of their devotional effusions which are said to be fine compositions. Among them is a book of Hymns composed by JOHN KELPIUS, the Hermit, of whom Mr. Watson, in his excellent "Notes on the early History of Germantown,"\* gives an interesting account; and a German paraphrase of several portions of Scripture, which was published in the Pennsylvania Gazette of March 31st, 1742, and is subscribed Gottfried L., Germantown, Dec. 28. Kelpius's hymn book was translated into English verse by CHRISTOPHER WITT, a learned physician and astronomer, who emigrated from England and settled at Germantown in 1704. He was a believer and adept in the Rosicrucian philosophy, and gained great reputation among the Germans as a magus and astrologer.

FRANCIS DANIEL PASTORIUS was a scholar and a poet. He was born in Limpurg in Germany, in 1641, and emigrated in 1683 in the same vessel with Thomas Lloyd, to whom and to whose daughters many of his compositions now extant, are addressed. When he left England it appears he had not acquired the English language, for in one of his poems he speaks of having held conversation with T. Lloyd in Latin, and with William

Penn in French. He, however, made himself so complete a master of the English tongue, as to be able to compose rhymes not altogether contemptible. These consist of letters, acrostics, and other poems, addressed to Rachel Preston, Hannah Hill, and Mary Norris, all daughters of his friend T. Lloyd. They compose part of a MS. volume in the possession of Mr. John P. Watson of Germantown. He also wrote a work which was published in Germany about the year 1700, entitled "A Description of Pennsylvania." He resided in Germantown on the premises now occupied by his descendants, where he had it is said, extensive vineyards and gardens. He died about the year 1720.

DAVID JAMES DOVE is mentioned by Mr. Graydon as a popular satirical poet about the middle of the last century. He was by birth an Englishman, and had, it is said, gained some ludicrous notoriety in his own country. He was established in this city as a schoolmaster before the year 1759, and soon afterwards was appointed English teacher in the Philadelphia Academy; but he disagreed with the trustees, and on the opening of the Germantown Academy in 1762, became head master of that seminary. Another quarrel soon separated him from this institution, and he erected a house on an adjoining lot, where he established an opposition school; but this undertaking was unsuccessful, and shortly abandoned, and we hear no more of Mr. Dove. He is said to have been a good scholar, and distinguished for his powers of elocution. He had an ardent and peculiar temper, and was whimsical even in his discipline. Amongst several amusing instances, Mr. Graydon gives the following: "He had another contrivance for boys who were late in their morning attendance. This was to despatch a committee of five or six scholars for them, with a bell and lighted lantern; and in this odd equipage, the bell all the while ringing, they were conducted to school." As Dove affected strict regard to justice in his dispensations of correction, he once submitted with good humor to the same punishment from his pupils to their no small gratification, and the entertainment of the spectators. As his poetical compositions were generally political or personal satires, their popularity, though great, was only ephemeral; and I do not know that a copy of a single piece is now to be found. I have heard repeated several lines from a very bitter attack upon William Moore of Moore's Hall, entitled "Washing the Black-a-moor White," written on the occasion of that gentleman's arrest by the assembly.\* The verses of Mr. Dove are characterised as bitterly sarcastic, and sometimes pointedly witty, and he perhaps chiefly owed his ill success in this province to his unrestrained propensity to satire.

Several of the poets whose names have already occurred, have received the praise of fluency, elegance, vivacity, or wit. I have not ventured to claim for one of them either brilliant imagination or original genius. I am now to mention one whose deficient education and unpropitious fortunes were compensated by poetic talents which were of the highest order, and which, but for an early death, would have even gained him European laurels.

THOMAS GODFREY, JR. was one of the well known inventors of the quadrant, and was born at Philadelphia in 1736. His father died when he was a child; and his mother, whom we have no reason to suspect of tenderness, satisfied herself by affording him a common English education. For the cultivation of his taste, he was indebted to his own persevering study of the best English poetry. His life was an adventurous and interesting one. As a poet, he was above the drudgery of a

\* Dove was also a caricaturist of considerable reputation, and a few copies of the productions of our provincial Gilray are a treasure to the antiquary. Like his satires, they they were political, personal, and moral, and sometimes possessed, it is said, great humour. They were not often engraved; but several copies by the author himself were distributed privately, or hung in the barber's shops of our metropolis.

\* See Register, vol. I. p. 281.

mechanical occupation, which the more plodding genius of a mathematician might have turned to his account, and elevated by a brilliant invention. He abandoned, therefore, the trade of his father, and was as little captivated by the art of watch making, to which he had been apprenticed. A restless disposition urged him to embrace the profession of a soldier. He obtained, by the aid of Dr. Smith, a lieutenancy in the provincial troops, and was long enough on an Indian campaign to be disgusted with its hardships. He was attracted by the hope of rapidly acquiring fortune at the south, and established himself in North Carolina. Again dissatisfied, he tempted the ocean, and in vain sought wealth in commerce. He returned to Carolina, where an imprudent exposure to the malaria of that unhealthy climate was the cause of his death at the early age of 26 years. He is said to have been a man of the strictest integrity, of amiable disposition, and of engaging modesty. We are told also, that his talent for music was of the highest order, and that the opposition of his friends prevented the development of a genius for painting which would have gained him great reputation. These talents are altogether congenial with those of a poet; and indeed the man whose ear is not acutely sensible to the melody and power of music, and whose eye cannot measure the proportions of grace and appreciate the bold or delicate touches of the pencil, wants some of the essential ingredients of a poet. An active and adventurous career is also favourable to the development of poetic talents. A life passed in an humble station, has little variety and but few excitements; but the dangers and triumphs of warfare—the tempests of the ocean—the majestic wildness of our forests—the simplicity and romance of the Indian character—even the luxuriance and fragrance of southern flowers—all work upon a poetic imagination, and excite those effusions which arouse and elevate, or soothe and sadden.

Godfrey found patrons amongst the principal literati of the province; and his smaller poems, which were occasionally published in the American Magazine, were ushered with praises and received with applause. After his death his poems were collected, and in 1765 were published in Philadelphia, in a small quarto volume, preceded by a critical review from the pen of Dr. Smith, and a biographical sketch of the author by his friend and brother poet Nathaniel Evans. The "Court of Fancy" is the principal poem in the volume, and it has received the highest commendation. It is said to display "strong imagination and poetic genius," and to be distinguished for "harmony, delicacy, and gracefulness." Perhaps all this might be proved by a few selections—certainly the piece contains some highly poetical descriptions; but on the whole, it is neither well contrived nor polished; and like all similar allegorical pieces, is formal and uninteresting. Amongst Godfrey's minor pieces, several might be noticed as possessing more than common beauty. His epistle from Fort Henry is a specimen of his best style. The versification is quite elegant, and the pictures of the ravages of Indian warfare at the frontier settlements, is drawn with considerable power and feeling. A translation of Chaucer's "Assembly of Birds" contains some fine verses, and several of the pastorals and elegies have no small degree of elegance and sweetness. The "Prince of Parthia," as a dramatic composition, has certainly many defects in its plot, as well as faults in its style; but is, when we make due allowance for its author, a most wonderful production. We must excuse many passages, which, in the work of a more accomplished author, we would censure as inflated and common place. Yet several of the scenes are written with considerable power. The verses sometimes move with true tragic majesty, and swell with rage or soften into tenderness, and this with a sustained passion which is worthy of better poets. The tragedy was sketched in North Carolina, but before the author was able to revise, polish, or even to complete it, his anxiety to have it performed

by the Philadelphia company of players, before they should leave the city, induced him to transmit it in the unfinished state in which it must now be read. With the exception of a farce which Mr. Graydon says was written about the year 1770, and in which his pompous and affected writings-master was caricatured under the name of Parchment, this is, it is believed, the only dramatic production of Pennsylvania previous to the revolution.

Prefixed to Godfrey's poems is an elegy to his memory by JOHN GREEN; a portrait painter, and one of his early friends. Whether the author was inspired by any other occasion is not known, but the freedom and harmony of his numbers seem to imply that his pen had not been wholly unpractised.

[To be Continued.]

## BANK OF THE UNITED STATES.

On Thursday, 1st inst. at the Triennial Meeting of the Stockholders of the Bank of the United States, STEPHEN GIRARD, Esq. officiated as Chairman, and JOHN POTTER, Esq. of South Carolina, as Secretary. A comprehensive and luminous report was submitted in writing by NICHOLAS BIDDLE, Esq. the President, in behalf of the Directors of the Bank, showing, in a masterly manner, the condition, the character, and the importance of this great national institution. This able and instructive document will, no doubt, be published. After it was heard, the following Resolution was moved by HORACE BINNEY, Esq. and the gentlemen who were accordingly appointed a Committee, made, in the afternoon, the annexed Report, which was adopted without dissent.

*Resolved*, That the communication made by the Board of Directors to this meeting, be referred to a Committee of seven to report thereon; and that the same Committee be authorized to report upon such other matters as they may deem to be interesting to the Stockholders.

The Committee appointed were:—H. Binney, Robert Ralston, R. L. Colt, Paul Beck, Manual Eyre, Joseph Hemphill, James Ronaldson.

The Committee to whom was referred the communication from the Board of Directors—

### REPORT:

That they have verified by a comparison with the tabular statements of the Bank the material facts reported in this interesting paper and find them to be correct. The reasoning by which the Board of Directors has deduced from them the connection between the Bank and the present prosperity of our country, and has sustained the principles which have regulated the administration of its concerns for many years, requires no comment. All who read the communication, which it is presumed, will be given to the public, will discern for themselves not merely the actual prosperity of this institution, greater and more stable than any former epoch, but the manner in which its great public and private trusts have been performed,—its public trusts towards the Government and People of the United States, and its immediate private trusts towards the Stockholders, and those who have confided it to their funds and their credit. The perfect harmony of these interests under the operations of a Bank organized as the Bank of the United States has been by law, and administered as it now is, is believed to be demonstrated; and it would be mere waste and superfluity in the Committee to attempt to add either to the cogency or the variety of the considerations, by which the Board of Directors has completed the demonstration. The Committee will not however deny themselves the satisfaction of submitting to the Stockholders a few of the inferences, which the communication, taken in connexion with the past and known history of the United States and the Bank, appears to justify.



1st. That the Bank at its origin, and at great cost and sacrifice, effectually promoted the restoration of specie payments: and that its able administration for several years past, has finally established a currency as universally sound within the United States as can ever be expected, or as is essential to the general welfare: and that this has occurred in a community whose currency for a part of the time has felt the influence of active though temporary causes of derangement, and is at all times exposed to danger, by the number and variety of its Banking Institution.

2d. That the Bank, through the whole course of its operations has effectually assisted the Treasury in the collection and distribution of the public revenue; and that of late years, it has been signally efficient in preventing the discharge of the public debt from disturbing the operations of commerce, or the course and value of pecuniary investments.

3d. That the Bank by its judicious intervention in the business of domestic exchanges, has given such facility and regularity to this indispensable instrument of internal trade, that neither the want nor the cost of it any longer exists, to embarrass any opinion whatever.

4th. That by its extensive operations in Foreign Exchange the Bank for several years held in its hands, and has at all times used, with striking effect, the power of arresting all sudden and violent fluctuations in this branch of commerce; and promises by the same means greatly to economise the use of the precious metals in the future trade of the United States with China, and India.

5th. That these public services of the Bank of the United States are the peculiar result of an institution organized and administered as this has been; that the organization of any bank or body whatever, essentially different, would fail in the attainment of most or all of the great objects adverted to, and that an efficient administration is alone necessary to develop the powers, and public uses of the Bank in its existing form.

6th. That while the Bank has been administered for several years upon those principles which are demonstrably the best both for the public and the stockholders, yet that adverse circumstances at an earlier day, and among them, chiefly, the cost and sacrifice attending the restoration of an unsound currency, by which an immense loss, that would otherwise have fallen upon the Treasury and People of the United States, was assumed by the Bank, have prevented the stockholders from deriving the usual returns of money invested at the lowest rate of interest,—the original subscribers not having realized an interest equal to five per cent. per annum paid semi-annually, and subsequent purchasers of the stock at an advance, having generally received less.

7th. That the stock of this Bank is distributed in such amounts, to such a variety of persons, and for such different purposes and trusts, that all charge or allegation of monopoly by any body of men whatever is shown to be without foundation; whereas the same circumstances prove the deep and critical interest which widows, orphans, charitable societies, and other trusts, have in the prosperity and continuance of the Bank.

8th. That the welfare of this Bank is now identified with that of the people of the United States, from those who wield the largest operations of commerce, to him whose interest in the currency does not go beyond the just compensation for his daily labour.

These inferences your Committee believe to be sound, and that no partial interest which they may have as stockholders ought to prevent them using their privilege as citizens in stating them.—Their proof may be made manifest to all who know the history of the Bank and the country, by pursuing the communication of the Board of Directors.

There is one other subject within range of the reference to the Committee, upon which they deem it their duty to report.

The Charter of this Bank will expire by its present limitation, on the 3d of March 1836, and there will consequently be but one triennial meeting after the present, and that at a point of time too near the expiration of the present Charter to authorize measures in regard to its renewal. It is fit, in the opinion of your Committee, that before that meeting, power should be given to the Board of Directors, to prosecute them if they think proper. This power should be large and definite, not merely to solicit a renewal, but to abide, if they think right, by the terms which Congress may impose. A Board of Directors who have administered the Bank in the manner detailed in their recent communication, are safe depositories of the entire power of the stockholders on the subject of a renewal of the Charter.

With these remarks the committee terminate their duty by offering to the adoption of the meeting the following resolutions:

*Resolved*, That an administration by which the interest of the Stockholders and public are successfully blended, is that system which is properly characteristic of a Bank of the United States; and that to the present able administration of the Bank, the Stockholders and the public are indebted for the full, efficient, and profitable development of such a system.

*Resolved*, That the thanks of this meeting be presented to the Board of Directors for their comprehensive and lucid Report upon the operations and present condition of the Bank, with an assurance that the Stockholders place an unabating confidence in their wisdom and fidelity in the further administration of its concerns.

*Resolved*, That the confidence of the Stockholders continues to be due to the able and faithful President of the Institution, and that their thanks be given to him for the enlarged and liberal views which have distinguished his administration of the Bank, and for the skill with which he has united in its operations, a regard to the public welfare with a steady support of the rights and interests of the stockholders.

*Resolved*, That if at any time before the next triennial meeting of the Stockholders, it shall be deemed expedient by the President and Directors to apply to Congress for a renewal of the Charter of the Bank, they are hereby authorized to make such application in the name and behalf of the Stockholders, and to accept such terms of renewal as they may consider just and proper.

*Bank of the United States, Sept. 1st, 1831.*

(Signed)

Hor: Bioney,  
Rob. Ralston,  
Roswell L. Colt,  
Paul Beck, Jr.

Manuel Eyre,  
Joseph Hemphill,  
James Ronaldson.

*Resolved*, That the reports adopted by the Stockholders be referred to the President and Directors for the purpose of being printed and circulated in pamphlet form for the benefit of the Stockholders.

### BLACK LEAD MINES.

Man is a superficial sort of being. He looks at the outside of things, and contents himself with the belief that he has seen all there is to be examined. It was thus, we confess, that we viewed, some ten days since, the BLACK LEAD MINES of Southampton, in this county.

The Mine is situated on the top of Edge Hill, one mile and a half N. E. from Smithfield, and one mile and a quarter S. E. from the Buck Tavern. Its greatest perpendicular depth at present is between ninety and a hundred feet. The water is raised from it by two pumps, worked by a single horse, to within thirty feet of the surface, where it passes off into a side drain; this drain was intended to have been about thirty feet lower, and is actually carried at that depth to within fifty yards, or a little more, of the mine, where the workmen encountered a rock too hard to be penetrated by the means



then in use—the rock is primitive granite and quartz. There is nothing peculiar to be seen on the surface which might indicate the existence of the rich treasure below. Smooth, gently-sloping fields, bearing luxuriant vegetation, are all around you; a blacksmith's shop, a small building for the horse-power and pumps, and a drum-head tackle for drawing up the mineral, are before you; you step into either of these buildings, and look down a shaft upon utter darkness. (Mr. Manson, the intelligent proprietor, residing in Smithfield, will accompany you any fair day, and make you pleased with his company.)

From this dark place, of so unpromising aspect, is drawn more wealth, in proportion to the labor employed than perhaps any other in the world. Within three years, with the imperfect drainage we have mentioned, the labor of from three to six hands, and one horse, the present lessee has raised twenty five thousand dollars worth of the mineral. An expenditure of a sum sufficient to set up and keep in operation a steam engine of two, or at most four-horse power, would easily enable him to double or treble this amount; but as his lease will shortly expire, and he is engaged in an extensive whale-fishery, this will not now be done. We understand that Mr. Manson will be willing to raise a company for the purpose of making improvements, and working the mine more advantageously. The investment of considerable capital in this enterprise would certainly be profitable. The mine is situated in a rich and populous neighbourhood, within five or six miles of the Delaware, and not more than 15 from Philadelphia. The Plumbago of this mine is said to be the purest known, except that of one mine in England. It is uniformly barrelled up and sold as delivered from the pit's mouth, at from fifteen to forty cents per pound, according to quality. It is sometimes found in large masses; one block of pure plumbago was raised a year or two since, weighing nearly four hundred pounds. The veins improve in quality as they descend to greater depths; but the explorations downward have been prevented from being extended on account of the difficulty of draining by the power in use. Should a more perfect mode be adopted, as is proposed, we should expect very beneficial results.

With many thanks to the warm-hearted proprietor, and his hospitable family, for their polite attention and readiness of information, we tender him our best wishes for success in his desire of making this concern a source of profit to himself, a mine of wealth to the neighbourhood, and highly advantageous to the country.

*Bucks Co. Republican.*

## PENNSYLVANIA TEMPERANCE SOCIETY.

### ANNIVERSARY REPORT

*Of the Managers of the Pennsylvania Society for discouraging the use of Ardent Spirits. Read on the 27th of May, 1831, and ordered to be published by the Society.*

The anniversary of a Temperance Society, is an event calculated to elicit expressions of honest pride and joy from every true patriot and philanthropist. It does not call upon us to rejoice at the triumph of the strong over the weak, nor for victory with the expense of much blood and treasure. Far nobler purpose! It is to commemorate the success of reason and sound morals, over brutalizing impulses and debasing habits. On an occasion like the present, we may well eulogize that higher wisdom which guides the efforts of the numerous voluntary associations throughout the land, for the promotion of Temperance, and which teaches men to avoid temptation and to shun danger, rather than causelessly to encounter ills from which so few escape unscathed or dishonoured.

Acting on this principle, and taught by the history of human habits, that abstinence from the seductive poison of strong drinks, and above all, of that most generally

diffused and pernicious variety, ardent spirit, is the only sure guaranty against drunkenness and its horrible accompaniments; a few benevolent individuals in the eastern section of our country, agreed, not many years ago, to form a Temperance Society. They agreed to resist themselves entirely from the use of this liquor; and, adding precept and remonstrance to example, they did their utmost to induce their fellow-citizens to adopt a similar course. The appeal thus made to the good sense of the country, in favour of its best interests, has been nobly responded to; and at this time, some hundred thousand freemen of these States, have entered their solemn protest against the use of ardent spirit. The sincerity of these reformers, members of Temperance Societies, is best proved by the fact of their acting, themselves, up to the principle which they urge on their fellow-citizens at large, for adoption. They recommend abstinence from ardent spirit, and they give force to this recommendation by abstaining from it themselves. The example of temperance, is not, as in times past, limited to scattered individuals, who have been always found in every district of our country, or to people in other climates: it is now set by numerous and powerful associations—entire communities, including all religious persuasions, and every political party. To his personal conviction of the blessings of sobriety, a member of a Temperance Society adds a public pledge that he will exert himself to insure and diffuse them. Standing alone, a man might have allowed himself in a moment of easy good nature, or for fear of ridicule, to become the victim of the hour, and to sacrifice his feelings to the urgencies of thoughtless and boisterous companions—but in his new relations, he is bound not to peril the reputation of his associates and the cause, by such ill-timed concessions. In this point of view, it is in the power of every inhabitant of the United States, to strengthen himself, and give strength to others in the support of temperance; and on this ground, is it not the imperative duty of every man who is aware of the evils of strong drink, and who suffers from its use either in his own person, or in his relation to others, as a father, a son, or a brother, to enter his solemn protest against the practice, by becoming a member of a Temperance Society? He will thus secure himself from the dread poison, and give the strongest lesson of dehortation from its uncalled for and pernicious indulgence by others; while, at the same time, he will exert a more powerful moral suasion on his family and connexions, than by the most pathetic appeals, or by the severest censures and penalties against intemperance. Is he a father, who, satisfied with his own discretion in the moderate use of ardent spirits, yet views with anxiety and mistrust, the beginning fondness for it of a favourite, perhaps an only son, whom he hopes will be the staff of his old age—how shall he teach this young man caution? how persuade him to be satisfied with a certain measure of liquor? Will it be by citing his own example? Alas! no. The son may naturally be expected to allege, in reply to admonition, that personal experience will finally apprise him, as it did his father, of the quantity which he can take with impunity. What is, however, the result to be dreaded? This young man associates with those of his own age, joyous and thoughtless like himself. They drink as their fathers drank before them: but mutual incitements and bantering, uttered in idleness or in accidental discussion, are made the pretext for emptying an additional bottle. Without intending it, they have now passed the limits—they are intoxicated—the midnight hour has arrived, and they sally out to wander amidst the haunts of the vicious and depraved—they form new and unholy connexions, and lose in one short hour the ingenuous innocence which had hitherto distinguished them. The scenes of this one day are renewed, if not on the next day, yet in the next week—it may be the next month; but renewed they will be, because the same provocative to stormy passions, the same stupifier of the judgment, is had recourse to in the form of intoxicating drink, at

their next convivial meeting. Frequent repetitions of such acts, eventually become a habit—the moral sense is depraved—conscience, still troublesome in its admonitions, is deadened at last by stronger alcoholic potations; and the wretched young man finds himself degraded and an outcast from a community, which once looked up to him with fond hopes of his future usefulness and fame. Who now shall plead in mitigation of the censure lavished on him by every tongue—who intercede for him at the bar of justice, where he may have been summoned to answer for crimes committed during one of his drunken fits? Will it be a father, worn down with sorrow and much weeping; but still a father, who refused to set that example of temperance, which would have prevented all the subsequent misfortunes and miseries of his son.

If, again, it should be a son, who is desirous above all things of arresting his father in the downward course to destruction, through intemperate drinking, how shall he most sensibly impress his wayward parent with his own, and public opinion in favour of sobriety? Advice he can seldom more than timidly offer—warm, passionate remonstrance and intimidation, even if of any avail, are forbidden him. There remains then no other means so powerful and convincing, as for him to become a member of a Temperance Society, and thereby to display in his own person, the comfort, serenity and health which comes from observing its regulations. He may not always work an entire reform of his father—but he will prevent many an excess—and save himself, and perhaps a beloved mother, from many an agonizing hour. This will at least be the only kind of monition, which, under the circumstances, could be properly given or patiently received.

In all the relations which each member of a family has with another, the advantages of temperance must be freely admitted; and with this admission, is implied the plain duty of every member taking an active part in the support of our cause! Still further—we are safe in affirming, that to barely desist from opposing, or to coldly assent to the usefulness of Temperance Societies, will not discharge a freeman from the more active and vigilant performance of a duty, which he owes to his fellow-citizens and the government under which he is so proud to live.

It was under the influence of these views, that “the Pennsylvania Society for discouraging the use of Ardent Spirits,” was formed, and it is to give them force and effect that it continues its labours. Since the last anniversary report of the Society, its agent, the Rev. Sylvester Graham, has visited different parts of the state, and by his zeal and ability, has been instrumental in rousing the people to duly appreciate the importance of the cause, by forming numerous Auxiliary Temperance Societies. In the suburbs of Philadelphia, especially in the Northern Liberties and Kensington, the addresses delivered by this gentleman have produced a powerful effect. Manufacturers and mechanics in the city, are now making the same salutary discovery as the farmers in the country, that labour of all kinds is better performed during entire abstinence from intoxicating drinks; and that order, economy and health are best promoted by the same means. The journal of Mr. Graham contains many exceedingly interesting facts, tending to show the progress of reform, and the beneficial effects thence resulting to all classes of society. Bodily infirmities of long standing, rheumatic and other pains, and disorder and feebleness of the senses, have been shown to be removed with a promptitude and permanency, which would have added to the reputation of the most distinguished professors of the healing art; if the application of their skill could be attended with the like results.

The diminished consumption and distillation of domestic ardent spirit in the state of Pennsylvania, during the last two years has been, on an average, upwards of 500,000 gallons per annum.

Not having heard from the various Auxiliary and

County Temperance Societies, we cannot give the number of members at present in the state. In spite, however, of some untoward circumstances, we have evidence of their marked and continued increase.

In our sister state, New York, the extent and success of the Temperance reform, have gone even beyond the hopes of the intelligent and patriotic part of her population; who, by their zealous, and wisely concerted, and untiring efforts, have mainly contributed to so glorious a result. It appears from the “Second Annual Report of the New York State Temperance Society,” that in the year 1830, “the diminution, in the quantity of foreign liquors, passing through the New York market for domestic consumption, has been 1,471,718 gallons, costing about as many dollars, and being a falling off of more than fifty-three per cent. Of domestic spirits, it has been about 2,000,000 of gallons, worth, at first cost, about \$500,000—the whole making a saving to the community of nearly TWO MILLIONS OF DOLLARS.

This is the estimate at the wholesale price—at the retail price, as sold in the dram shops, and taverns, and hotels, the lessened expenditure must be vast.” Such is the estimate of pecuniary saving; but who can calculate the gain in the health, morals and religion of a vast population, from whom such an amount of destructive drink has been withheld.

“Enough information has been collected,” by the executive committee of the New York State Temperance Society, to justify them “in estimating the whole number of members in the state, as high as 100,000. The number of persons who have not yet connected themselves with Temperance Societies, but who practice on the principle of total abstinence from ardent spirits, probably exceeds the other number. Coupling with these 200,000 persons, the children and labourers under their control, and it is evident, that the whole number in this state (New York) brought directly under the temperance reformation, exceeds half a million.”

From nearly all parts of the Union, the most flattering evidences are received of the people awakening to a sense of their danger; and devising, in the formation of Temperance Societies, means of safety and renewed elevation of character. Nor are the benefits of the reform confined to our western hemisphere. The noble work has been begun, and is in successful progress in Ireland and Scotland, and is advancing vividly, though slowly, in England. It may well be a source of justifiable pride, that the blessed change which those islands are now undergoing, was begun by Americans. The debt of gratitude has been felt and warmly acknowledged by our transatlantic brethren. Long may such sentiments be interchanged between them and the citizens of this republic!

The history of Temperance Societies has confirmed, beyond the possibility of cavil, a fact constantly and distinctly affirmed by physicians in all ages, amid every change of medical theory, that abstinence from intoxicating drinks, exempts from numerous distressing maladies, promotes health, and increases the probabilities of long life. Various opinions, usually the offspring of national prejudice, rather than the result of careful observation, have been held respecting the comparative cordial and invigorating effects of different liquors, whether the product of the still or of fermentation—some giving preference to what they call pure spirit diluted with water, others extolling wine—these malt liquors, those cider and perry. But we have the irrefragable testimony of careful observers, from the earliest period down to the present day—physicians, and writers on dietetics, the personal experience of religions and other recluses, of philosophers and hardy warriors, in favour of the entire fitness and salubrity of water as the exclusive drink—that liquid, which, whether in the shady spring, or the wide flowing river, or descending rain, a bountiful Providence furnishes every where to man. A small share of the skill, which is so perversely exerted to prepare a poison in the shape of intoxicating drinks, is sufficient,

under the most favourable circumstances, to render water potable, and pleasant to the taste, when, from peculiar causes, it has been stagnant and mixed with earthy matters and vegetable impurities. Our fellow-citizens cannot too often be reminded of this important truth, when prone to indulge in speculations of a hazardous nature respecting the different drinks, which it is fitting for man to use. We repeat it—expeditions, inland and maritime, labour in the field and the factory, during summer's heat and winter's cold, have all been successfully performed, with no other beverage than simple water. Let the most sceptical on this subject, refer to the journals devoted to the history and support of Temperance Societies, and the means of preserving health, and he cannot fail to receive entire conviction, if facts without number, and the most authentic and various details are capable of producing this effect. From the same quarters he will learn, that cheerfulness, despatch, and regularity, under the reformed system, are advantageously contrasted with the boisterous mirth, alternating with fits of sullenness, riot, and uncertain fulfilment of engagements, when intoxicating drinks have been allowed and used.

Not only are the rational enjoyments of a people clouded, but the supply of substances necessary for their food is diminished, by the manufacture of ardent spirit. The political economist, who regards abundance and cheapness of wholesome food, as a prime element in his calculation of the circumstances under which a population becomes most numerous and thriving, cannot fail to point out the impediments to the increase of our species, caused by converting nutritive grain, when it is barely adequate to meet the home demand, into a liquid poison—as occurs in the process of distillation. There is here not merely an abstraction of food, but a worse than loss—a conversion of it into a demoralizing and destructive drink. This condemnation does not require us by any principle of dietetics or rule of logic, to present in laudable contrast that other conversion of grain by the process of fermentation into malt liquors. The major evil must not, by its enormity, blind us to the minor one, especially when we reflect on the additional fearfulness which this latter assumes, by the noxious articles so largely employed in the arts of brewing.

But not alone are our nutritive grains converted into potent alcoholic drinks—the juices of the sugar cane, the grape, the apple, and the peach are made to undergo a similar change, and to whiskey and gin are added on the black list, rum and brandy. It has been impudently asked, whether man is answerable for this exercise of his ingenuity, on materials furnished by creative wisdom—as if such quierists can be ignorant, that man's free agency to do what he listeth, implies responsibility for the consequences of his acts; and who shall consent to be responsible for converting wholesome and highly nutritious food in the one instance, and the refreshing and sweet savoured fruits of the earth in the other, into the vehicle of disease, and shame, and sin.

That milder product of the juice of the grape, subjected to fermentation, and constituting wine, so long and so much used in various parts of the world, still, shows in its composition, its alliance to ardent spirit. Like this latter it contains, though in less quantity, the denounced poison alcohol. The resemblance in this respect between vinous and spirituous liquors, is unhappily made still greater by the universal practice of adding ardent spirit usually brandy, to wines, which are put aside for keeping, or which are intended to be exported. The trade in wines necessarily, therefore, keeps up the trade of distillation—even supposing the temperance reform to be carried so far as to exclude from common use, spirit in its raw state or diluted with water.

The alleged sobriety of the inhabitants of wine countries, cannot be adduced in favour of the general use of the vinous liquors, which we receive from them in trade,

and which are drunk in the United States. The difference of strength in regard to the proportion of the alcoholic element, between our imported wines and those used in southern Europe, is too great to allow of any argument being deduced from the use of the latter, which shall apply to the use of the former. But while touching on this question, we ought to be aware, that the inhabitants of that section of the old world, though so superior to the people of this republic, in an infinitely greater avoidance of drunkenness, and consequent exemption from much physical and moral debasement, are not strangers to intemperance, nor to many diseases, the direct result of the abuse of wine. The observations of travellers; and still more, official hospital reports, furnish, unhappily, evidence too clear and conclusive on this head.

In recommending to their fellow-citizens, abstinence from intoxicating drinks, the Managers of this Society wish to be understood as, in a more especial manner, deprecating the manufacture, sale and drinking of *ardent spirit*, which they regard as the embodied Apollyon, among the material agents for man's destruction. In discouraging the habitual use of *fermented liquors*, they act, it is believed, in accordance with the principles of genuine philanthropy, not less than of sound political economy. On this subject, evidence is being daily accumulated, and will ere long be so generally diffused, and so clearly set forth, as to enable the people to arrive at a satisfactory conclusion for themselves. It will be the duty of this Society to aid in the dissemination of all the material facts connected with so important a question.

But, while thus protesting against the perverted display of human ingenuity, by which matters calculated to nourish, and refresh, and invigorate, are converted into enfeebling and deleterious drinks, Temperance Societies, ought not for a moment, to be considered as inimical to rational enjoyment, still less, as desirous of making man a gloomy ascetic. On the contrary, their great object is to enable him to avoid much bodily discomfort and mental disquietude, and at the same time to preserve his functions in that well balanced state, by which the productions of nature for his sustenance and health, and the works of art for his instruction, shall be most keenly relished and longest enjoyed. The temperance reform obstructs no channel of laudable improvement, interferes with no means of innocent recreation: it, rather, increases the former and multiplies the latter. Were its principles adopted, we should no longer see the revolting contradiction of the husbandman and the gardener, after gathering the grain and fruits of the earth, present us with one hand a portion for nourishment and refreshment, and with the other, a portion changed into a liquid poison, rife with disease and death.

Each region of the earth has its fruits. In one, the date and the tamarind—in another, the fig and the pomegranate—here the orange and the lemon—there the clustering grape. Nature has not been niggardly in this particular to our country: the apple, the pear, the peach, the cherry and the plumb of the orchard, and the strawberries, raspberries, currants, and other small fruit of the garden, and the juicy melons, attest the liberal share which we have received in the distribution of her gifts. Commerce, ever active in promoting exchanges of the products of the soil, not less than the works of man's skill, brings us, at stated periods, some of the fruits of remote regions, whilst horticulture continues to successfully domesticate others in our own soil, and make them a part of our national possessions. When we look around and behold this beauteous display of matured fruits, at once adapted to convey nutriment, to aid in the restoration of lost health, and to minister to the pleasures of taste, by quenching thirst and gratifying the palate, is it, we may exclaim, conformable with the designs of nature, can it be an acceptable thing to nature's God, for us to turn away thankless and heart-



less from the proffered boon, and to convert this endless variety into a nearly homogenous fluid—the prime element of which shall be destructive alcohol? Is planting, and grafting, and pruning—does the refreshing shower give moisture, and the genial sun mature into sweet flavoured pulp and juice, the abundant fruit, in order that it should be thrown into the press, to be afterwards converted into wine or cider, or into the still, to become brandy? Was it not enough for us to have a second supply of fruit, as when we obtain, in a dried state, the grape, now raisin, the fig, and the currents, the apple, and the peach, or with the addition of sugar, the date and the tamarind, and a large class of domestic fruits,—without our mischievous alchemy making farther changes, and converting the gifts of goodness into the spirit of evil? Surely he, who only seeks for Epicurean enjoyment, will have more multiplied sources for this purpose, by preserving the purity of his taste for the successive fruits of the season, than if he were to so deaden or pervert it, by frequent potations of strong drinks, as to turn away with indifference, if not with loathing, from these rich productions. We need not ask on whose side will be the luxurious enjoyment of external nature, in all that can gladden the senses, or elevate the feelings, and minister to the intellect—he who preserves the delicacy, freshness, and susceptibility of his faculties, or he who keeps them in states of alternate feverish, insane excitement, and of moody, sullen despondency.

A deliberate survey of the whole subject, whether we consider the extent and enormity of the vice of drunkenness, the causes which nourish it, the means best suited to banish it from our land, or the success which has attended past efforts, must convince all reflecting and patriotic minds, that the present is the time for action, for association to enlighten the ignorant, to strengthen the wavering, and to convince unbelievers by the eloquence of facts.

In so noble a cause, and for such beneficent ends, we cannot doubt that Pennsylvania, ever ready to foster all liberal plans of improvement and reform, will emulate her sister states in their present glorious efforts.—Invoking the names of her Benezet—her Franklin—and her Rush—she will derive new strength, and add fresh sanctity to her onward march in support of temperance, without which patriotism is blind instinct—philanthropy a profitless and helpless emotion.

This report is published in a pamphlet by the Society, accompanied by an appendix, to which we refer for much interesting information on this subject.

### AMERICAN SILK.

From the (Baltimore) Chronicle of the Times.  
To the Editors of the Chronicle of the Times.

PHILADELPHIA, Aug. 22.

GENTLEMEN:—Agreeably to your request, I have the honor of enclosing to you a translation of the letter addressed to me by M. Boucher, of Paris, in answer to one in which I explained to him the experimental course which I have been pursuing during these two years, and which I shall continue to pursue until congress shall have decided the fate of the bill reported to them by their committee on agriculture, which I hope will be at the next session. I have added a number of notes to that letter to facilitate the understanding of the text: You will perceive that M. Boucher no longer considers the plan which I have proposed to the national legislature, as the dream of an honest man. He does not know what stuff the American people are made.

It is a remarkable fact that while that gentleman recommends to us, to reel silk for *tram*, as it is called, of from 15 to 20 cocoons, my English correspondents recommend our reeling it for *Organzine*, from 6 to 8, which they say is only equal to the Italian 4 to 6, our silk being so much finer and stronger. The reason of

this difference is as appears to me, that France most wants the former and England the latter quality of silk, for their respective manufactures. But M. Boucher tells us that England is the best market for that article, for which she pays a higher price than France. Therefore our views will probably be turned to that market. I am trying to get information from all quarters, and at any rate, if I can do no more, I shall have obtained for the country a mass of facts, which I hope will not be found useless.

I am very respectfully,  
Gentlemen, your most Obedient servant.  
PETER S. DU PONCEAU.

No. 3.

From M. Boucher, to Peter S. Du Ponceau.

PARIS, June 3.

SIR:—I received on the 24th of last December, your interesting letter of the 18th November. A long sickness, of which I am now convalescent, has been the cause of my not having answered it sooner. I wish that the letter which I addressed on the 20th of August last, to your respectable friend the Chevalier de Pougens, may be useful to you. That friend will have sent to you some weeks ago, a pamphlet entitled "*Du commerce des Soieries en France*," (on the silk trade in France.) This work, written by a friend of mine, Mr. Lenn Teste, of Avignon, will interest you.

I have carefully examined your samples of white sewing silk. (a) It is what we call *demie grenade*, or *rondelle*. It is made of *dupions* (double imperfect cocoons) (b) two threads of the raw silk are twisted together, then closely united by a second twist more or less strong; and thus sewing silk is made either white or to be coloured. Our *rondelles*, in the raw state, (c) are worth here 15 francs per pound, avoirdupois, with a discount of 12½ per cent. To this you must add one franc 25 centimes for dyeing, 50 centimes for packing, the loss of weight after extracting the gum and dyeing, 25 per cent. and thus you have the price of dyed *rondelle*, 21 francs per pound. You must compare this price, deducting the freight and importation duties, with that your women get for it at home. It is a branch of industry yet in its infancy: *this silk is very irregular, as well in the reeling as in the twisting*. (d)

Your project for improving the filature of silk, is grand and deserving commendation; do not, however, go too fast in endeavoring to spin fine threads; you would do bad work. You will, indeed, have pupils well instructed, but the improvement of the female reelers by practice, will require years. As to the manufacturing of stuffs, it will require still longer time; and moreover it remains to be decided whether the high price of labour in your country, will not be an obstacle.

What you say of Mr. D'Homergue gives me great hopes as to the reeling of raw silk; (e) he must know how much the reelers of *Alais*, *Anduze* and *St. Jean du Gard* have improved their filatures, while not far from thence at *Salon*, the art has declined, and it is the same at *Tours*. (f)

(a) This was a sample of sewing silk made after the manner of Connecticut. It was a most favourable specimen.

(b) This sample was made of the best silk of the best cocoons.

(c) The writer speaks here of French sewing silk.

(d) The writer gives his opinion as delicately as he can, and reluctantly at last comes to this conclusion which cannot be misunderstood.

(e) The writer seems to have at first considered Mr. D'Homergue as a mere dealer in silks, not familiar with the various processes or their manufacture.

(f) If the art of extracting silk from the cocoons were as easy as some pretend, there would not be so much difference between the raw silk made in different



Your experimental filature of ten reels, is becoming interesting. Your raw silk, spun of six cocoons if the threads are regular, the ends tied in knots, *marriages* (g) taken off, and the silk made up in small skeins, will suit to make trams of two threads, and even organzine fit for the manufacturing of *Florence of Arignon*—but it will have to stand the competition of our own silks, as well for the price as for the throwing. England at this moment is more in want of raw silks of from 3 to 4 and from 4 to 5 cocoons, than from 5 to 6. (h) I can say nothing of Mexico.

I shall receive with great pleasure the sample of your raw silk which you intend to send me, and I shall tell you what may be done with it. I should prefer receiving silk of 15 to 20 cocoons, like the sample of Spanish silk called *tramas de Valencia*, which I have sent you. (i) I would advise you to try your silk by means of a cut reel, which you might get made of 400 turns of a wheel of an ell's (44 French inches) diameter. 400 ells by their weight in grains of mark weight, give the standard weight (*titre*) which is called *deniers*. (k) Say 15 grains or deniers, single thread, or 30 deniers double thread. By this means you will be in harmony with all the manufactories of Europe.

I am like yourself, very much astonished that you have boiled your raw silk, without throwing it, either from tram or organzine; it must have been twisted or crossed a great deal in the filature. The silks of Bursa in Asiatic Turkey of 20 to 30 cocoons produce the same effect; but with six cocoons it is most extraordinary. Do not trust always to it, however; a little too much boiling in the dyeing process, may render the silk unfit to be wound.

I do not conceive how you can have made a piece of stuff with one single thread of raw silk reeled from six cocoons, it must have been very light. (l) I understand

places even in the same country. There is no such difference in the spinning of cotton, flax, or hemp, the value of these depends solely on the quality of the material, not only on the skill of the spinners.

(g) *Marriage* is when two threads in reeling, through the inattention or unskillfulness of the spinner pass through the same hole in the traversing bar, and thus get improperly joined.

(h) The texture of our silk is so very fine, that the English manufacturers to whom samples of it were sent, have desired that it should be reeled from 7 to 8 cocoons, instead of 4 to 6, which is only equal they say to 3 to 4 of Italian silk. Notwithstanding this extreme fineness, our silk is found to excel in strength and nerve.

(i) This sample was never received.

(k) The word *denier* means literally a *pennyweight*, here it seems synonymous to *grain*. *Denier* is a technical term in the English as well as in foreign silk manufactures.

The cut reel is employed to test the quality of silks, a given length of thread well reeled gives an ascertained weight; if it should fall below or rise above the standard, it is considered ill reeled in proportion to the difference.

In January, 1830, the Chamber of Commerce of Lyons in France, caused a sample of American silk reeled by Mr. D'Homerque himself, to be thus tried by a sworn assayer. The report was, that "the raw silk obtained in Philadelphia was of an extraordinary quality, well adapted to all the uses of fabrication. Its degree of fineness was 16 deniers. It was fine, nervous, good, regular, clean, of a fine color; in short it united all the qualities that could be wished for. Its price was estimated at 26 francs per pound, at Nismes, afterwards it was estimated at 30 fr.

(l) The writer speaks of the flag presented to the legislature of Pennsylvania. The warp of the stuff only was of one single thread, which was doubled for the woof. The stuff was indeed extremely light: twelve feet by six feet and a half, weighed only nine ounces.

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better that you should have trammed your second flag of four threads; but your dyeing on the piece, particularly of two colours, must have made their silk look like an old piece of stuff dyed a second time, consequently without lustre and crispy (m.)

I have observed that in a temperate climate, silk is always more brilliant, nervous and mellow, with livelier colors than in very hot countries; this comes from the nature of the mulberry leaf; but in those countries, there is the danger of white frosts and of frequent rains, which are seldom experienced in Italy and India. This danger may perhaps cause the silk culture to be abandoned. Be so good as to give me some information respecting the temperature of the United States of America, particularly in the spring season.

I have been assured that the English have invented machines of iron and copper for throwing of silk, of much greater activity than that of our wooden thrusting mills.

I am well aware, sir, that the love of your country and not the thirst of gain, induces your efforts for introducing the filature of silk into the United States. I wish you complete success, and shall willingly contribute to it in every thing that will depend upon me. I shall with pleasure follow your progress. Write to me as often as you please, do not spare me, you will receive speedy answers.

I am, &c.

L. J. BOUCHER.

## THE MAN OF TRUTH.

We are indebted to a valued Correspondent for the following interesting little anecdote of *Charles Thompson*.

To the Editor of the Register of Pennsylvania.

Is a late number of thy valuable paper, I noticed an article relative to our Early History, which has given rise to the following reminiscence.

In the Register of August 6th, under the head of Early History, it is stated that Charles Thompson took the minutes as secretary for Teedyuscung, the famous Delaware Chief, at a conference held with the Governor of Pennsylvania, attended by his council, in March 1758.

The circumstances from which the appointment arose, occurred at a treaty held at Easton, previous to this time,\* and were thus related to me in after years, by the venerable secretary himself:—He had gone to attend the treaty with a number of the distinguished inhabitants of Philadelphia of that day, not only because he was in ill health and thought the journey would be beneficial to him, in which he was not disappointed; but likewise on account of the Indians, and the interest which he took in their affairs. His ingenuity had led him to the invention of a new method of short-hand writing, and during the treaty he took down the transactions of its business and the speeches of the chiefs.

The flag presented to congress was wove with four threads, which gave the stuff a rich strong body.

(m) This mode of dyeing was adopted for the flag presented to congress, because it was thought proper to make it all of one piece, and there was no time to prepare a suitable loom to weave different colors. In consequence of this the stuff had not the lustre it would otherwise have had; but it was not crispy. The warp of the flag presented to the legislature of Pennsylvania was entirely white, which gave to the colours a changeable appearance. This was wished to be avoided in the others.

\* Probably the treaty held at Easton in 1756.

Upon the reading of the report made by the secretary of the governor and council, at one passage of it Teedy-uscung arose, and contradicting the statement which had been read, requested "to know what that young man's paper said," alluding to Charles Thompson, whom he had observed to be thus occupied. He was then desired to read his notes for the Indian's satisfaction; which he did, and they received the complete approbation of his auditors, and the chief's confirmation that such had been his words, and "the young man's paper had spoken the truth." No further objection occurred, and the natives soon after held a council among themselves, and adopted him into one of their tribes, giving him according to their custom, a new name, which signified in the language of the Leni Lenapi, "The Man of Truth." And well did his subsequent conduct during the war of independence merit the appellation! To conclude the anecdote; in extreme old age he told me that he had lived so long as to forget his name, (meaning his Indian cognomen) and asked me to write to his friend John Heckewelder, to inform him of it. I did so, and he received an answer, with the name in the Delaware language—which I, in my turn, have also forgotten, but not the events which gave rise to it.

D. L.

### TEMPERANCE CONVENTION.

HARRISBURG, August 24th, 1831.

Pursuance to the call of the Western Temperance Convention, held in Pittsburg, in September last, a Convention of Delegates from various Temperance Societies throughout the State, assembled this day in the Court House at Harrisburg.

On motion of R. N. HAVENS of Allegheny county, the Convention organized by appointing ROBERTS VAUX of Philadelphia, President. On motion of JAS. GRAY of Philadelphia, R. N. HAVENS of Allegheny county, and R. T. LEECH of Dauphin county, were appointed Secretaries.

The President having stated the objects of the Convention, certificates of their appointment were presented by the following gentlemen:

Roberts Vaux, Dr. John Bell, Dr. L. P. Gebhard, Rev. M. M. Carll, State Temperance Society.

Benjamin Naglee, Northern Liberties and Kensington societies.

Rev. S. Graham, 2d Young Men's society of Philad.

V. L. Bradford, of Young Men's Society of City and Co. James Steel, of Huntingdon.

Dr. Jno. H. Jordan, M. B. Linton, Bucks county.

Miles Addis, Henry Van Artsdalen, Northampton township, Bucks county.

Michael D. Magehan, Cambria county.

Jacob Wagener, Easton, Northampton county.

David Lawson, Armstrong county.

E. Kingsbury, jr. Susquehanna county.

Wm. Kirkwood, William Todd, Arthur B. Bradford, Columbia, Lancaster county.

R. N. Havens, Joseph Patterson, Allegheny county.

Samuel Douglass, Benjamin Parke, Richard T. Leech, Dauphin county.

Robert M. Finley, Rostraver, Westmoreland county.

James R. Irvine, William M. Porter, William Hendel, Young Men's society, Carlisle, Cumberland county.

John D. McCord, Newville, Cumberland county.

The following County Societies also appointed delegates, who were prevented by unavoidable circumstances, from attending.

Washington county, Hon. Thomas Baird, Rev. Thomas Hoge.

Butler county, Walter Lowry, Esq.

Fayette county, ———.

Conemaugh, Cambria county, Shipley Priestley.

Reports from the several societies represented were then read by the respective delegates, and laid before the Convention. Written communications were also received from Reading and from the Fayette county society.

On motion of V. L. BRADFORD, Esq. a committee of five members were appointed to prepare and digest any business growing out of the reports presented, and to lay the same from time to time before the Convention.

Adjourned to meet at 3 o'clock, P. M.

### AFTERNOON.

The Convention met pursuant to adjournment.

V. L. BRADFORD, Esq. from the committee appointed in the morning, reported a series of Resolutions for the consideration of the Convention.

On motion of Mr. NAGLEE, of Philadelphia county, Resolved, That the Governor of the Commonwealth and Heads of Departments be respectfully invited to seats in the Convention.

In accordance with this resolution, the Convention was honored with the presence of His Excellency Governor Wolf and several of the executive officers during most of its sittings.

The following resolution submitted by the committee, after discussion and amendment, was adopted:

Resolved, That this Convention recommend to the friends of temperance throughout the commonwealth, the following organization of County and Local Associations:

1st. That all City, Township, Church, and other local associations, become auxiliary to the county societies, that they meet annually in the month of March, at which time their annual elections be held, and that detailed statements of their situation, their prospects, and such other information relative to the temperance cause as they may be able to collect, be then laid before the associations, and that the Secretaries be directed to transmit the same within the ensuing week to the President or Corresponding Secretary of the County Society.

2d. That all County Societies throughout the State become auxiliary to the State Society, and duly announce the same to the State Society, who are requested to acknowledge the same, that they hold their annual meetings in the third week in April, and that their annual report be forwarded by their Secretary to the State Society in the ensuing week, in order to be embodied in its annual report.

3d. That it be recommended to all the friends of temperance in such counties as have no County Society, to meet immediately and form them on the plan here mentioned.

4th. That the State Society be requested to prepare and give extensive circulation to plans of Constitutions for county and local temperance associations, and that they endeavour to procure the immediate publication in all the papers of the state of their list of Officers and Managers.

Adjourned until Thursday morning, at 8 o'clock.

### THURSDAY, August, 25.

The Convention met pursuant to adjournment.

After discussion and amendment, the following resolution, submitted by the committee, was adopted:

Resolved, That it be recommended to the State Society to employ two agents, one to lecture in the English, and one in the German language, on the subject of temperance throughout all the counties of the commonwealth; and that such County Societies as will engage to contribute towards the support of an agent during his labors within their bounds, be requested to noti-

fy the State Society of such determination by the first of November next.

On motion of Dr. JOHN H. JORDAN, of Bucks county.

*Resolved*, That this Convention have with feelings of great satisfaction and with gratitude to Almighty God viewed the increasing progress of the principles advanced by the friends of the temperance reformation; and that abundant encouragement exists for the energetic prosecution of their plans, and the more extensive development of their principles.

*Resolved*, That the returns which have been made to this Convention from different sections of the state, are satisfactory evidence of the importance of a more systematic organization of the associations for the promotion of temperance throughout the commonwealth; and that it is strenuously urged upon the friends of the temperance cause to adopt the plan recommended by the Convention, and report themselves without delay to the State Society.

*Resolved*, That a committee of seven be appointed to prepare an address to the friends of temperance expressive of their views, and embodying such of the information laid before this Convention as they may deem of general interest.

Committee appointed, Messrs. J. H. Gordon, D. Lawson, Benjamin Naglee, Richard T. Leech, R. N. Havens, James Steel, and Wm. Todd.

On motion of Dr. GORDAN, the President of the Convention was added to the committee, and appointed chairman thereof.

On motion of J. STEEL, of Huntingdon county.

*Resolved*, That it be recommended to the several Temperance Associations in this commonwealth, to establish Libraries within their several bounds, and that the youth residing therein have the use of the books of said Libraries gratis.

On motion of Rev. M. M. CARLL, of Philadelphia.

*Resolved*, That this Convention wish to be distinctly understood, that they deprecate all coercive measures in the cause of temperance, and regard it as their peculiar province to disseminate correct information, to use moral suasion and individual example, in promoting their object.

Adjourned to meet at  $\frac{1}{2}$  past 2 o'clock, P. M.

#### AFTERNOON.

The Convention met pursuant to adjournment.

After full discussion on the character and extent of temperance pledges, the following Resolution, submitted by R. N. HAVENS, of Allegheny, was unanimously adopted.

*Resolved*, That the State Society be requested to insert the following form of a pledge in the plans of Constitutions, to be recommended to Auxiliary societies, &c.

"The subscribers, deeply impressed with a sense of the numerous physical and moral evils arising from intemperance, do hereby mutually pledge themselves to abstain from the use of ardent spirits, except as a medicine prescribed by a competent physician; recognizing water as the legitimate and most salutary drink for all men; and viewing drunkenness, whether resulting from the use of ardent spirits, fermented or vinous liquors, as equally reprehensible, and subjecting any signer of this pledge to expulsion from this Association."

Adjourned to meet at 8 o'clock, P. M.

#### EVENING.

The Convention met pursuant to adjournment.

On motion of V. L. Bradford,

*Resolved*, That this Convention highly approve of the improvement made in the Laws for the suppression of vice and immorality by the provisions of the act of assembly, entitled "An act to regulate Inns and Taverns," passed the 7th day of April, A. D. 1829.

On motion of Rev. M. M. CARLL,

*Resolved*, That this Convention are of opinion that a judicious pamphlet addressed to mothers, in relation to the treatment of Infants, with reference to *early habits* of temperance, would be attended with beneficial results.

On motion of Dr. GORDON, of Bucks county.

*Resolved*, That this Convention recommend to the State Society, the publication and circulation of pamphlets and addresses on the subject of Intemperance.

On motion of R. N. HAVENS,

*Resolved*, That this Convention recommend to the State Society, such alteration in their Constitution as will admit of seats in their Board of Managers and to the deliberations of the Society, the Presidents, Chairmen of Executive Committees, Corresponding Secretaries, and also two special delegates from all Auxiliaries.

On motion of Benj. NAGLEE,

*Resolved*, That this Convention recommend to the friends of temperance throughout the commonwealth, to enquire into the expediency of instituting Asylums for the intemperate, where such persons may resort for cure and reformation.

On motion of Rev. M. M. CARLL,

*Resolved*, That inasmuch as example has a powerful influence, especially on youth, this Convention deem it a matter of vital importance that temperance and sobriety should characterize those to whom is committed the education of our children.

On motion of A. Bradford, of Lancaster county.

*Resolved*, That this Convention, in all its plans for the promotion of the cause of temperance, disavow in the most decided and unqualified terms, every thing like religious sectarianism, and that the friends of the cause are warmly advised to avoid all measures which deserve in the least degree such an imputation.

On motion,

*Resolved*, That the thanks of this Convention be tendered to the Commissioners of Dauphin county, for the use of the Court House.

*Resolved*, That the thanks of the Convention be tendered to the President, for the dignified and impartial manner in which he has presided over its deliberations.

*Resolved*, That the proceedings of this Convention be published, and that all the editors of newspapers in Pennsylvania be respectfully requested to insert the same into their respective papers.

ROBERTS VAUX, President.

R. N. HAVENS, }  
R. T. LEECH, } Secretaries.

#### JUNIATA COUNTY.

##### *Appointments by the Governor.*

WILLIAM KIRK, to be Prothonotary, Clerk of Oyer and Terminer, Quarter Sessions and Orphan's Courts.  
JAMES S. LAW, Register and Recorder.

##### *Justices of the Peace of Juniata County.*

JAMES HUGHES, Esq. for district No. 3, composed of the townships of Milford and Turbett.

THOMAS I. MCCONNELL, Esq. for district No. 4, composed of Lack and Tuscarora.

DAVID GLENN, Esq. for District No. 4, composed of the townships of Lack and Tuscarora.

JOHN NORTH, Esq. for district No. 3, composed of the townships of Milford and Turbett.

HUGH McALLISTER, Esq. for district No. 2, composed of the townships of Fermanagh and Walker.

JOHN KNOX, Esq. for district No. 2, composed of the townships of Fermanagh and Walker.

*Singular Fact*.—It is singular, that of the Trustees of the Lancaster County Academy, appointed by the Legislature in April 1827, the only three *reverend gentlemen* who were appointed then, have since died, while all the other gentlemen have continued in good health. The names of the deceased clergy men are, the Rev. William Ashmead, the Rev. Joseph Clarkson, and the Rev. Chn. Endress.—*Lancaster Miscellany*.



# Tabular Statement of Prisoners in the

From the 1st day of January, to the 31st day

Names of convicts.	Age.	Sex.	Place of Nativity.	Time of commitment.	Imprisonment in 1830.			Crimes.
					Years.	Mo.	Days.	
Jesse Alleman	27	male	Washington co. Pa.	December 30, 1828,	1	0	0	Larceny
George Atkinson	19	do	Do	March 30, 1830,	0	9	2	Do
Marg't J. Anderson	19	fem.	Bedford county, Pa.	April 6, 1829,	0	2	25	Do
Robert Armstrong*	32	male	Franklin county, Pa.	December 8, 1830,	0	0	24	Do
John Broker	31	do	Germany	August 9, 1827,	0	7	10	Do
William Brooks	55	do	Lancaster county, Pa.	February 14, 1828,	0	1	13	Do
James Bilby*	22	do	Washington co. Pa.	February 21, 1829,	0	1	21	Do
John Bechtel	25	do	Westmoreland co. Pa.	June 1, 1829,	0	10	22	Do
Asa H. Baker	48	do	Berkshire co. Mass.	December 12, 1829,	0	11	12	Receiving stolen goods
Jonathan Boriff	22	do	Westmoreland co. Pa.	December 12, 1829,	0	11	12	Larceny
John Baker	29	do	New York	December 9, 1829,	1	0	0	Do
Burree Burr	28	do	City of Washington	February 3, 1830,	0	10	25	Do
James Bradley	48	do	Pittsburg, Pa.	February 24, 1830,	0	6	0	Do
Nancy Baldwin*	15	fem.	Chambersburg, Pa.	May 10, 1830,	0	7	21	Do
George Brooks*	22	male	Steubenville, Ohio	May 10, 1830,	0	7	21	Do
Isaac Bracks*	23	do	Lancaster county, Pa.	July 1, 1830,	0	6	0	As.&bat.intent to ravish
Henry Barfield	37	do	City of New York	August 25, 1830,	0	4	7	Larceny
Lewes Boyer*†	17	do	Westmoreland co. Pa.	September 10, 1830,	0	3	12	Do
John Connelly	56	do	County Down, Ireland	April 6, 1829,	0	2	25	Do
Thomas Cochran	45	do	Do	December 8, 1829,	1	0	0	Do
Joseph Cochran	24	do	Do	December 8, 1829,	1	0	0	Do
Louisa Chambers*	22	fem.	City of Pittsburg	May 11, 1830,	0	7	21	Do
Hugh Conologue	20	male	Co. Denneagall, Ireland	May 15, 1830,	0	3	7	As.&bat.intent to ravish
George Dempsey	78	do	Co. Antrim, Ireland	May 1, 1827,	0	4	14	Murder
Levi Derry*	18	do	Fayette county, Pa.	May 16, 1829,	1	0	0	Larceny
James Donohoe	25	do	Dublin city, Ireland	July 13, 1830,	0	5	19	Do
James Dickey	32	do	Co. Antrim, Ireland	December 28, 1830,	0	0	3	Do
Jane Ebbert*	16	fem.	Allegheny co. Pa.	November 18, 1829,	0	10	0	Do
Archibald Cole	53	male	Sussex county, N. J.	February 16, 1827,	0	1	9	Receiving stolen goods
Spencer Edwards*	32	do	Mount Vernon, Va.	December 3, 1830,	0	0	29	As.&bat.intent to ravish
Robert W. Fleming	45	do	Washington co. Pa.	March 30, 1830,	0	9	2	Larceny
Robert Fleming	55	do	County Derry, Ireland	June 4, 1830,	0	6	27	Murder
Isaac Gaines	22	do	Maryland	February 10, 1829,	0	7	10	Larceny
William Green*	19	do	Centre county, Pa.	December 9, 1829,	1	0	0	Do
Richard Gillet	19	do	Canada	December 10, 1829,	0	10	10	Do
Wesley Gonsalus	33	do	Centre county, Pa.	February 3, 1830,	0	10	26	Do
Benjamin Gass	55	do	Franklin county, Pa.	February 23, 1830,	0	10	6	Perjury
Serena Griffith*	35	fem.	Shippensburg, Pa.	July 29, 1830,	0	5	3	Larceny
Samuel Harris*	24	male	Carlisle, Pa.	August 9, 1827,	1	0	0	Rape
William Hunter	28	do	Huntingdon co. Pa.	August 29, 1828,	0	4	7	Passing counterfeit coin
Benj'n Holloway	31	do	New Jersey	March 26, 1829,	0	2	20	Larceny
Elizabeth Hazlep	24	fem.	Lancaster, Pa.	April 27, 1829,	1	0	0	Perjury
John Hall	33	male	Fayette county, Pa.	June 15, 1829,	1	0	0	Larceny
Adaline Hall*	18	fem.	Canfield, Ohio	August 13, 1829,	1	0	0	Conceal birth & death of husband
John Herron	26	male	Allegheny co. Pa.	July 29, 1830,	0	5	3	Bigamy
William Hannon	27	do	Greene county, Pa.	September 22, 1830,	0	3	9	Burglary
Bernard Heaney	34	do	Co. Caven, Ireland	November 27, 1830,	0	1	4	Rape
William Johnston*	22	do	Philadelphia	February 8, 1828,	1	0	0	Larceny
Robert Johnston*	32	do	Somerset county, Pa.	May 18, 1829,	0	4	17	Do
Daniel Jones*	44	do	Queen Ann co. Md.	May 11, 1830,	0	7	21	Do
George Irwin	36	do	Co. Antrim, Ireland	December 28, 1830,	0	0	3	Do
Joseph Logan	36	do	Huntingdon co. Pa.	August 29, 1828,	0	1	12	Do
George Long	23	do	Westmoreland co. Pa.	January 20, 1829,	0	6	19	Do
William Leech	35	do	Norfolk, Virginia	July 29, 1830,	0	5	3	Do
Ab'm Middaugh	62	do	New Jersey	July 28, 1828,	1	0	0	Passing counterfeit coin
Charles Miller*	22	do	Steubenville, Ohio	May 13, 1829,	1	0	0	Larceny
Aquila Mitchell	36	do	Hartford county, Md.	June 30, 1829,	0	6	4	Do
Samuel M'Pherron	35	do	Berkley county, Va.	August 29, 1828,	1	0	0	Forging counterfeit coin
James M'Kinney	51	do	State of Delaware	April 29, 1829,	0	3	11	Manslaughter
Frank M'Intosh*	27	do	Pittsburg	August 5, 1829,	1	0	0	Larceny
James M'Guire	26	do	Montgomery co. N.Y.	March 12, 1830,	0	3	20	Horse stealing
Cynthia Nisley	28	fem.	Bedford county, Pa.	April 6, 1829,	0	2	25	Larceny
Oran Newhall	40	do	Conway, Mass.	October 23, 1830,	0	2	9	Connt'g coins cur. in U.S.
Joseph O'Conner	41	do	County Cork, Ireland	November 4, 1828,	0	4	3	Larceny
James Parker*	31	do	Franklin county, Pa.	February 14, 1828,	0	1	12	Do
Lewis Purce	23	do	Connecticut	February 6, 1829,	0	0	26	Do
George Pancake	42	do	Harrisburg, Pa.	May 13, 1829,	1	0	0	Ass. & bat.intent to kill
James Parsons	26	do	Jefferson co. Ohio	August 11, 1829,	0	3	23	Larceny
Joseph Penny*	18	do	Georgetown, Pa.	October 15, 1829,	1	0	0	Do
William Paight	24	do	Huntingdon co. Pa.	April 23, 1830,	0	8	7	Bigamy
John Pierce	23	do	Baltimore co. Md.	October 13, 1830,	0	2	19	Larceny
Peter Porter	25	do	Berkley county, Va.	October 29, 1830,	0	2	3	Do

# Western Penitentiary of Pennsylvania,

of December, A. D. 1830, both days included.

No. of Inmate.	When sentenced.	By whom sentenced.	REMARKS.
Repeated	December 24, 1829,	Court Q. S. Wash. co.	Now in prison.
First	March 25, 1830,	do	do
do	March 25, 1829,	do	Discharged by expiration of sentence, March 25, 1830.
do	November 27, 1830,	Court Q. S. West'd co.	Now in prison.
Uncer.	August 8, 1827,	Court Q. S. Alleg'y co.	Discharged by expiration of sentence, Aug. 10, 1830.
First	February 13, 1828,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Feb. 13, 1830.
Uncer.	February 21, 1829,	do	Discharged by expiration of sentence, Feb. 21, 1830.
First	May 22, 1829,	Court Q. S. West'd co.	Discharged by expiration of sentence, Nov. 22, 1830.
do	December 12, 1829,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Dec. 12, 1830.
do	December 12, 1829,	do	Discharged by expiration of sentence, Dec. 12, 1830.
do	November 25, 1829,	Court Q. S. West'd co.	Now in prison.
Uncer.	January 27, 1830,	Court Q. S. Centre co.	do
Repeated	February 24, 1830,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Aug. 24, 1830.
First	May 10, 1830,	do	Now in prison.
Uncer.	May 10, 1830,	do	do
First	January 21, 1830,	Court Q. S. Mifflin co.	do
do	August 10, 1830,	Court Q. S. Hunt. co.	do
do	August 25, 1830,	Court Q. S. West'd co.	do
Uncer.	March 25, 1829,	Court Q. S. Wash. co.	Discharged by expiration of sentence, March 25, 1830.
First	December 8, 1829,	Mayor's C. Pittsburg.	Now in prison.
do	December 8, 1829,	do	do
do	May 10, 1830,	do	do
do	May 15, 1830,	do	Discharged by pardon, Aug. 22, 1830.
do	April 13, 1827,	Court O. & T. Hunt. co.	Died May 14, 1830.
do	May 16, 1829,	Mayor's C. Pittsburg.	Now in prison.
do	July 8, 1830,	C. Q. S. Cambria co.	do
do	December 22, 1830,	Court Q. S. Wash. co.	do
do	October 31, 1829,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Nov. 1, 1830.
Repeated	February 8, 1827,	Court Q. S. Erie co.	Discharged by expiration of sentence, Feb. 10, 1830.
First	November 27, 1830,	C. Q. S. Venango co.	Now in prison.
do	March 29, 1830,	Court Q. S. Wash. co.	do
do	May 29, 1830,	C. O. & T. West'd co.	do
do	February 10, 1829,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Aug. 10, 1830.
do	November 25, 1829,	Court Q. S. Centre co.	Now in prison.
Uncer.	November 11, 1829,	C. Q. S. Crawford co.	Discharged by expiration of sentence, Nov. 11, 1830.
First	January 27, 1830,	Court Q. S. Centre co.	Now in prison.
do	February 23, 1830,	Mayor's C. Pittsburg.	do
Repeated	July 29, 1830,	do	do
do	August 8, 1827,	C. O. & T. Alleg'y co.	do
do	August 16, 1828,	Court Q. S. Hunt. co.	Died May 7, 1830.
do	March 20, 1829,	C. Q. S. Armstrong co.	Discharged by expiration of sentence, March 20, 1830.
do	April 14, 1829,	Court Q. S. Beaver co.	Now in prison.
Uncer.	June 10, 1829,	Court Q. S. Fayette co.	do
First	August 13, 1829,	C. Court, Alleg'y co.	do
do	July 29, 1830,	Mayor's C. Pittsburg.	do
do	September 14, 1829,	Court Q. S. Greene co.	do
do	November 18, 1830,	C. O. & T. Mifflin co.	do
do	January 22, 1828,	Court Q. S. Mifflin co.	do
do	May 18, 1829,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, May 18, 1830.
Uncer.	May 11, 1830,	do	Now in prison.
do	December 22, 1830,	Court Q. S. Wash. co.	do
do	August 13, 1828,	Court Q. S. Hunt. co.	Discharged by expiration of sentence, Feb. 13, 1830.
do	January 20, 1829,	Court C. S. Alleg'y co.	Discharged by expiration of sentence, July 20, 1830.
do	July 29, 1830,	Mayor's C. Pittsburg.	Now in prison.
do	July 28, 1828,	do	do
First	May 13, 1829,	do	do
do	June 24, 1829,	Court Q. S. Wash. co.	Discharged by expiration of sentence, July 5, 1830.
do	August 16, 1828,	Court Q. S. Hunt. co.	Now in prison.
do	April 3, 1830,	C. O. & T. Crawford co.	Discharged by pardon, April 12, 1830.
Repeated	August 4, 1829,	Court Q. S. Alleg'y co.	Now in prison.
Old offen	March 4, 1830,	Court Q. S. Warren co.	Escaped on the night of the 1st July, 1830.
Uncer.	March 25, 1829,	Wash. co. Court of Q. S.	Discharged by expiration of sentence, March 25, 1830.
First	October 23, 1830,	D. C. of U. S. W. D. Pa.	Now in prison.
Uncer.	November 4, 1828,	Court Q. S. Alleg'y co.	Discharged by expiration of sentence, May 4th, 1830.
First	February 13, 1828,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Feb. 13, 1830.
Old offen	January 27, 1829,	Court Q. S. Centre co.	Discharged by expiration of sentence, Jan. 27, 1830.
First	May 13, 1829,	Mayor's C. Pittsburg.	Now in prison.
do	August 11, 1829,	Court Q. S. Alleg'y co.	Died April 23, 1830.
do	October 7, 1829,	Court Q. S. Wash. co.	Now in prison.
do	April 14, 1830,	Court Q. S. Hunt. co.	do
Old offen	October 6, 1830,	Court Q. S. Wash. co.	do
First	October 28,	Mayor's C. Pittsburg.	do

## Tabular Statement of Prisoners in the

Names of convicts.	Age.	Sex.	Place of Nativity.	Time of commitment.	Impris't in 1830.			Crimes.
					Years.	Mo.	Days.	
Jonathan Rose†	23	male	Crawford co. Pa.	November 7, 1827,	0	10	7	Larceny
James Ramsey	39	do	Mifflin county	June 15,	1	0	0	Do
John Roney	25	do	Baltimore	May 7, 1830,	0	7	25	Manslaughter
Samuel Rodgers	44	do	Dauphin county, Pa.	June 4, 1830,	0	6	27	Do
Patrick Reyley	22	do	Co Longford, Ireland	November 27, 1830.	0	1	4	Rape
William V. Stevens	28	do	Fayette co. Pa.	May 5, 1829,	0	3	27	Larceny
William Sarles	25	do	Tomkins co. N. Y.	August 7, 1828,	0	7	6	Do
Lucinda Smith	21	fem.	Connecticut	February 12, 1829,	0	1	11	Do
Charles Sullivan	18	male	Baltimore	July 28, 1829,	0	6	27	Do
Francis A. Stratton	28	do	New Jersey	August 4, 1829,	1	0	0	Do
Thomas Scott	41	do	Co. Monohon, Irel'd.	October 31, 1829,	1	0	0	Do
William V. Smith	50	do	State of Delaware	November 5, 1829,	1	0	0	Subornation of perjury
Samuel Staley	52	do	Lancaster co. Pa.	April 23, 1830,	0	8	8	Murder
Daniel Stewart	21	do	Greene county, Pa.	September 22, 1830,	0	3	9	Burglary
Delilah Sisco*	22	do	Washington co. Pa.	December 28, 1830,	0	0	4	Larceny
Wash'n Thompson	18	do	Butler county, Pa.	February 21, 1829,	0	1	20	Ass.& batt.intent to kill
John Thompson*	35	do	Lancaster co. Pa.	June 1, 1829,	1	0	0	Larceny
Wesley Wilson†	22	do	Philadelphia	July 12, 1828,	1	0	0	Horse Stealing
Joshua Wilson	24	do	Wash. co. Maryland	November 26, 1828,	1	0	0	Larceny
James Williams*	25	do	Delaware State	May 9, 1829,	0	3	20	Do
Charles Woods*	21	do	Fayette county, Pa.	August 6, 1829,	1	0	0	Do
Fanny Woods*	31	fem.	Wash. county, Pa.	November 18, 1829,	0	10	0	Do
William Wright	31	male	Co. Down, Ireland	December 12, 1829,	0	11	22	Do
Thomas Wasson	32	do	Butler county, Pa.	October 6, 1830,	0	2	26	Horse Stealing
Christian Weirich	52	do	Lebanon county, Pa.	October 23, 1830,	0	2	9	Embezzling from mail
John White	34	do	Co. Kent, England	October 26, 1830,	0	2	3	Larceny
John Lee*	31	do	Little York, Pa.	November 27, 1830,	0	1	4	Do

\* Coloured persons.

† *Alias* Lewis Byers.‡ *Alias* Samuel M'Collum.|| *Alias* David Browder.

Remaining in prison, December 31, 1829, 59  
 Received during the year 1830, —

Discharged by expiration of sentence, 30  
 Pardoned, 3  
 Died, 3  
 Escaped, 1

37

Remaining in prison, Dec. 31, 1830,

62

## Ages.

15 to 20

20 to 30

30 to 40

40 to 50

50 to 60

60 to 70

Whole number,

7

25

18

17

4

1

62

## White.

Males, 40

Females, 1

Black. —

Males, 16

Females, 5

—

Total, 62

For the Register of Pennsylvania.

## THE ALCHEMIST.

No. XXVIII.

## UNION.

"E pluribus unum."

In looking around upon passing events, as I do for the purpose of obtaining instruction myself, and of recording my reflections for the benefit of my readers, the question of nullification has, however unwillingly on my part, been forced upon my attention. I say unwillingly, because a contemplation of a matter which may result in great injury to the prosperity of this country, is any thing but a pleasing subject of reflection. As is usual in all controversies great heat has been exhibited in debate and in written argument, more, it must be confessed on the southern side of the question than on the other; though some writers on what I think the right side of the discussion have advanced positions not altogether tenable. It is not my intention to commence a laboured or regular dissertation on this important subject, but merely to offer a few reflections; which, if they prove at all beneficial, will show that the art of extracting gold from even the dross of political controversy has not yet deserted the Alchemist.

The question is not one, between *consolidation* and *state sovereignty*, as has been stated by an able writer of the day. Those who contend on the one hand for consolidation (if by that they mean the absolute merger of the states in the general government, and the complete non-existence of any rights at all in the former) and those who, on the other hand, assert the existence of state sovereignty, appear to me both to err. I should take it to be unquestionable, that the Constitution was formed and adopted by the people (acting through their delegates) of each state—and not by the people of what is now the United States, in an aggregate body; because, being not yet united, and being divided into separate political communities, it was the only way in which they could at that time act: but being formed and adopted in the way I have stated, it became the act of the *people* of the United States, and not the act of the separate political corporations, called *States*. The federal constitution is an emanation of the sovereignty of the people of the United States. The instrument itself says so. As a matter of course until the Constitution was adopted and the people of the whole country became united, they acted necessarily as distinct people—they voted in the Convention by States—that



## Western Penitentiary--Continued.

No. offence.	When sentenced.	By whom sentenced.	REMARKS.
Uncer.	November 8,	Court Q. S. Alleg'y co.	Discharged by expiration of sentence, Nov. 7, 1830.
Repeated	June 10, 1829,	Court Q. S. Fayette co.	Now in prison.
Uncer.	April 24, 1830,	C. O. & T. Mifflin co.	do
First	May 29, 1830,	C. O. & T. West'd co.	do
do	November 18, 1830,	C. O. & T. Mifflin co.	do
Repeated	April 28, 1829,	C. Q. S. Bedford co.	Discharged by expiration of sentence, April 28, 1830.
Uncer.	August 7, 1828,	Court Q. S. Alleg'y co.	Discharged by expiration of sentence, Aug. 7, 1830.
do	February 12, 1829,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Feb. 12, 1830.
do	August 1, 1829,	do	Discharged by expiration of sentence, July 28, 1830.
Repeated	August 5, 1829,	Court Q. S. Alleg'y co.	Now in prison.
do	October 31, 1829,	Mayor's C. Pittsburg.	do
First	August 28, 1829,	Court Q. S. Beaver co.	do
do	April 23, 1830,	C. O. & T. Alleg'y co.	do
do	September 14, 1830,	Court Q. S. Greene co.	do
do	December 22, 1830,	Court Q. S. Wash. co.	do
do	February 21, 1829,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Feb. 21, 1830.
Uncer.	May 22, 1829,	Court Q. S. West'd co.	Now in prison.
Repeated	July 9, 1828,	Court Q. S. Butler co.	do
Uncer.	November 12, 1828,	Court Q. S. Hunt. co.	do
First	April 21, 1829,	Court Q. S. Mifflin co.	Discharged by expiration of sentence, April 21, 1830.
Uncer.	August 6, 1829,	Court Q. S. Alleg'y co.	Now in prison.
First	October 31, 1829,	Mayor's C. Pittsburg.	Discharged by expiration of sentence, Nov. 1, 1830.
do	December 12, 1829,	do	Discharged by pardon, Dec. 22, 1830.
do	September 24, 1830,	C. Q. S. Armstrong co.	Now in prison.
do	October 23, 1830,	D. C. of U. S. W. D. Pa.	do
Uncer.	October 29, 1830,	Mayor's C. Pittsburg.	do
First	November 16, 1830,	Court Q. S. Mifflin co.	do

## CRIMES.

Assault and battery, intent to kill,	1	Concealment of the birth and death of a child,	1
Assault and battery, to commit rape,	2	Bigamy,	2
Burglary,	2	Passing counterfeiting coin,	1
Forgery,	2	Manslaughter,	2
Larceny,	38	Subornation of perjury,	1
Murder,	2	Horse stealing,	2
Perjury,	2	Embezzling, stealing, &c.	1
Rape,	3		

There have been only three recommitments in this penitentiary, to wit: William V. Stevens, Francis A. Stratton, and James Bradley; the others designated as being for repeated offences have been inmates of other penitentiaries; those designated as uncertain, or as old offenders, there has been no direct information received of their having before been in a penitentiary, but common report, or their conduct and demeanor in prison is such as to induce the belief that their present commitment is not for the first offence.

JOHN PATTERSON, WARDEN,  
Western Penitentiary.

To the Board of Inspectors of the Western Penitentiary.

is, the vote of the delegation of a particular State, represented the wishes of the people of that State.

Again, undoubtedly, they are mistaken who set up a claim of state sovereignty. *Sovereignty* does not exist, in any proper meaning of the term, in the state governments. It here, resides in the *people*, and in the people alone. Both the state and the general governments are the creatures of the people's sovereignty. Their voice has proclaimed both the one and the other. In all respects in which the Constitutions of the two differ, the former must give way—because by the formation of a general government and Constitution (formed, too, after the state constitutions) the people of the United States have proclaimed it to be the supreme law of the whole land. The states therefore, since the Constitution, have had their sovereignty controlled; and their authority limited by that instrument to those matters, which have not been placed within the sphere of the powers of the general government of the Union. Let me put an example. A state Constitution (of any

State) vested in the upper and lower houses of Assembly conjointly with the Governor, the Legislative power. That of course gave them the power of passing any laws not inconsistent with the principles of the Constitution of the state. The Constitution of the United States having vested exclusive jurisdiction over certain matters in the general government, no one can deny that the grant of legislative power to the State, is, in these particulars, limited and controlled by the Constitution. And that neither the state government, nor the whole people of the State, can act in regard to those matters. Away then with the farce of state *sovereignty*, which implies uncontrolled, absolute power.

The question then becomes one of construction of a written instrument. Is the particular power in question delegated to the government of the Union?

Undoubtedly there must be some body to determine questions of this kind, and in a way which shall be definitive and authoritative. Whether the judicial department of the Union shall have this authority or any one state,

out of the whole that compose the Union, is the question presented by "nullification."

I take it to be a question of Union or disunion—for I think that if the doctrine were to be carried out in practice, and each state were of itself to undertake to pronounce upon a law and refuse obedience, the miserable remedy of an appeal to three-fourths of the States (a mode not pointed out in the Constitution, and of course, one which would not be obligatory on the refractory state) would not preserve the Union from instant dissolution.

The position that the parties to a contract have a right to judge of the construction and extent of it and of its infraction, is contrary to all analogy and all law. Who ever heard of a contract in a government of laws, in any civilized community—where there was not some power to decide in case the parties to it disagree? Nothing more could be claimed for two perfectly distinct and sovereign communities, (in Europe, for instance) which surely these States are not. A branch of the general government deciding a disputed point is not a decision *by a party to the contract*. The general government is a creature of the contract—sprang from it: and as it was foreseen that it would be absurd and lead to ruinous consequences, if either of the parties to the compact (viz. the people of any state) were to be the judges of its construction, from the necessity of the case, the power was vested in a branch of this general government formed by the people of the whole country. Even supposing it to be absurd in theory, which in this case I by no means admit, that a government should judge of the extent of its own powers, the absurdity or not of the theory is not the question—it is, have the people of all the states, when they adopted the Constitution, vested in the Union this power. If they have, there is an end of discussion, and the judiciary department of the general government must construe the extent of the powers of the Union. The privilege could not be lodged in safer hands.

I have probably said enough for one essay on so grave a question; I shall reserve other remarks for another opportunity. My readers shall have variety. I will lead them

*"From grove to gay, from lively to severe."*

A word on the motto I have chosen. It beautifully represents the government of the union. A government formed from many disjointed, disunited states: incapable of promoting the prosperity and happiness of a people, who had fought for independence and had begun to find it worthless without union. A government emanating from the people of these States, who were convinced of its essential connexion with their happiness; and which is calculated if not destroyed by rude assaults, to procure for those who are fortunate enough to dwell beneath its benignant sway, as great felicity as any human institutions are capable of conferring.

UMBRA.

**A LARGE AND SOUND BEET.**—On Saturday last, (14th inst.) Mr. Alexander Young showed us a Beet which measured 21 inches in circumference, and weighed ten pounds and a half.—*Pittsburg Gaz.*

## PORT OF PHILADELPHIA.

*Inward—For August, 1831.*

Where from.	Ships	Barques	Brigs	Schrs	Sloops	Tonnage
England,	6	1	1			2782
British W. Indies,	1		5	4	1	1176
Brit. Amer. Colonies,				1	2	284
Holland,			1			271
Hanse Towns,	1		1			787
France,	1		7			1569
Danish West Indies,			3	1		638
South America,			3			421
Cuba,	1		5	5		1635
Hayti,			2	2		236
Brazils,			4			943
Matanzas,			2	1		279
	10	1	32	14	3	11921

*Inward Coastwise—73 vessels—Tonnage, 5530.*

*Outward—For August 1831.*

Where to.	Ships	Barques	Brigs	Schrs.	Sloops	Tonnage.
England,	2					803
British West Indies,			5	2		810
Brit. Amer. Colonies,				3		175
Trieste,	1					360
Batavia,	1					369
Swedish W. Indies,				2		219
Danish West Indies,			2			248
Canton,	1					319
Cuba,			7	1		1241
Hayti,			1			115
Brazils,			1			260
	5		16	8		4919

*Outward Coastwise—111 vessels—Tonnage, 9114.*

[*Pennsylvania Inquirer.*

CHAMBERSBURG, (Penn.) Aug. 30, 1831.

On Monday, the 22d inst. a greater rain fell in the northwest section of this county, than has been experienced there for twenty or thirty years. In Path Valley the Conococheague rose upwards of nine feet. Part of the dam of Mount Pleasant Iron Works, on that stream, and the dam of Roxbury Forge, on the Conodoguinet, we learn, are swept off, and no doubt many mills and bridges, lower down on these streams, have been damaged by the flood. Considerable damage was sustained in Roxbury and Strasburg, and along all the runs and drafts in the neighborhood of the mountain. The torrents from the mountain so suddenly inundated the houses in low situations in Strasburg, that horses had to be used to carry out the inhabitants.—This is the fourth great freshet that has occurred in this county the present season. The consequences of so much rain are a superabundance of vegetation, and the prevalence of autumnal fevers.—*Franklin Repository.*

**Coal.**—A bed of bituminous coal has recently been discovered in the neighbourhood of Blossburg, Tioga county. The stratum is said to be extensive, seven feet in thickness, and entirely free from slate.

**WESTERN PENITENTIARY.**—In Vol. 7, page 181, was inserted the report of the Inspectors of the Western Penitentiary—the tables accompanying that document, have only lately come into our possession and are now inserted. We question the policy of publishing to the world, the names of those unfortunate beings.

# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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From the Memoirs of the Historical Society of Pennsylvania.

## SOME ACCOUNT OF EARLY POETS AND POETRY OF PENNSYLVANIA.

[Concluded from page 163.]

The name of the REV. NATHANIEL EVANS follows of course that of his friend Godfrey. Even besides the ties of friendship they are united by the congeniality of their tastes and spirits, and by the melancholy similarity of their untimely deaths.

Mr. Evans was born in Philadelphia, on the 8th of June, 1742, and spent about six years in the Academy, which he entered shortly after it was first opened, and before the establishment of the collegiate part of that institution. He left the Academy to serve an apprenticeship in a merchant's counting-house, the duties of which, it is said, he neglected in his devotion to literature and poetry. He returned, therefore, to the college, and applied himself to the study of philosophy and the sciences until the commencement in May 1765; when, in consideration of his great merit and promising genius, he was complimented with a diploma for the degree of master of arts; though he had not previously taken the bachelor's degree, in consequence of the above mentioned interruption of his studies. Immediately after the commencement he embarked for England, where, on the nomination of the Society for Propagating the Gospel in Foreign Parts, he was admitted into holy orders by the bishop of London, Dr. Terrick, who is said to have expressed great satisfaction with his essays on theological subjects. He returned to Philadelphia, in December, 1765, and immediately entered upon the duties of a mission at Gloucester county, New Jersey, to which he had been appointed; but "alas," says Dr. Smith, "just lived long enough to show, by the goodness of his temper, the purity of his morals, the cheerfulness and affability of his conversation, the sublimity and soundness of his doctrines, and the warmth of his pulpit compositions, how well he was qualified for the sacred office to which he had wholly devoted himself." He died, October 29th, 1767, at the age of twenty-five years. His poems, after his death, were collected, and, in 1772, published by subscription under the care of Dr. Smith.

It has been said, and I presume with justice, that the verses of Evans are not remarkable for energy or originality. I should, however, be unwilling to exclude him or others whose compositions are not distinguished for these qualities from the list of poets. Fire and novelty do not seem to be indispensable in every poetical composition, though the popular taste may sometimes despise every thing that does not surprise and bewilder. Our senses are frequently taken off their guard by a rhapsody of measured nonsense, and too often mistake the shocks and confusion of discordant ideas for the inspired eruptions of poetic frenzy; while pure, exalted, and intelligible sentiments, clothed in polished and graceful verses, are condemned as wanting all that distinguishes poetry from prose. Evans might truly have said of his own compositions—

A nostris procul est omnis vesica libellis:  
Musa nec insano syrmate nostra tumet.

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They are generally either the productions of his boyhood, or playful addresses to his friends; but a few more studied performances are of a higher character, and several of the odes are fine and spirited pieces. The whole collection may be praised for elegant versification and refined sentiment; and they display a chaste imagination and amiable sensibility, which must excite more just admiration of their author than the more brilliant genius of some greater poets can inspire.

We find, printed with the poems of Evans, several lively and witty pieces addressed to him by a lady, who accompanied him in his voyage from England, and whose friendship he enjoyed till his death. In these verses, she assumed the poetic name of LAURA, but I believe I may venture to call her Miss ELIZABETH GRAME. This lady was born in this province, in the year 1739. She was daughter of Grame, the first physician of his time in Pennsylvania, and grand-daughter of Sir W. Keith. She was married to a Scotch gentleman, Mr. Hugh Ferguson. Miss Grame received an admirable education, and her mind early discovered an astonishing aptitude for every kind of learning. At her father's house she was surrounded by the most refined and literary society of America; and both here and in England she enjoyed the intimacy, and gained the admiration of some of the most accomplished scholars and wits of the age. Her journal of travels, her letters, and many other of her prose compositions, were admired for their vivacity and elegance; and her poems, among which is to be found a translation of *Telemachus* into English verse, though they cannot be considered either polished or harmonious, serve to confirm the honourable traditions we have received respecting her character and her mind. Never did a poet possess a readier pen than Mrs. Ferguson. She wrote on every occasion, and on almost every subject; and if the publication of her manuscripts are called for, I have no doubt that a volume might easily be collected; but she cannot be said to have been a favourite of the Muses, and her lines are not perfumed with that "fragrant nectar," which those divinities are said to sprinkle over the verses of their friends. They are frequently sprightly and feeling, but they want the animation of poetic ardour, and even their fluency is not synonymous with graceful ease. Mrs. Ferguson is said to have been a lady of fine talents, of refined delicacy, exquisite sensibility, and romantic generosity; several of her friends are still living, who remember with delight her noble disposition, her agreeable conversation, and her amusing eccentricities.

Having introduced the name of one poetess, I take perhaps the best occasion of mentioning two ladies, whose poems are dated in almost every year of the last century, and whose venerable age extended almost to our own times. For the following biographical sketches, I am indebted to one of the most elegant and accomplished women of our age—herself the author of some beautiful verses, whom I believe I sufficiently designate, when I say she is an honorary member of this society.

"SUSANNA WRIGHT was born in Great Britain, where she had received a good education, according to its estimation at that time; but the high degree of culture which her mind afterwards attained, was entirely owing to her own diligence and love of literature; but for which

she never omitted any of the peculiar duties of her day and station. She came to this country with her parents in 1714, being then 17 years of age, and lived with them for some years in the neighborhood of Philadelphia, where her talents and understanding were justly appreciated; and she laid the foundation of many friendships with distinguished individuals and families, which continued through her life. She removed with her father's family among the first settlers on the banks of the Susquehanna, then the utmost frontier settlement of Pennsylvania; where they lived, surrounded by the Indians, and in the kindest friendship with them; and where, after her mother's death, the care of a large family, and the education of its youthful members, successively devolved upon her: yet she attended to the cultivation of her own mind and talents to a very uncommon degree. She attained several languages, and knew many sciences, without the smallest degree of pedantry or affectation. She was uncommon agreeable in conversation; indeed she was equalled but by few, and her letters were highly and deservedly admired. Her character throughout was excellent. She lived nearly to the age of ninety years.\*

The only specimens of Susanna Wright's poetry which I have seen have a deeply religious character, but they are written with great force and feeling as well as elegance, and more than sustain her character for poetical talents, intellectual improvement, and moral worth.

"HANNAH GRIFFITHS was the daughter of Thomas Griffiths, formerly mayor of Philadelphia, and by her mother, who was the daughter of Isaac Norris, sen. descended from Thomas Lloyd, one of the most distinguished of the first settlers of Pennsylvania, who came over with William Penn, in 1782."

"She was a woman of excellent abilities, and distinguished for the ease and accuracy with which she expressed herself both in conversation and with her pen. She had a talent for writing verses which I have never seen equalled for its readiness, the numbers really flowing from her pen as the natural effusion of her thoughts. I have a great many of her poetical effusions, chiefly devotional, or else in the elegiac strain on the death of her friends."

"She was a truly pious and virtuous woman, and was supported by that piety through a season of afflictive privation in the loss of her sight; for she lived to extreme old age, and was quite blind for several of the latter years of her life. But her senses otherwise were retained to the last, and her fine faculties seemed unimpaired by age. She was born in Philadelphia, in 1728, and died in the same city, in 1817."

"She was remarkable for the readiness of her wit and repartee, and for the ease and fluency of her conversation. In her, a generous and lofty spirit was finely tempered by a Christian humility. She wrote a great deal, but was averse to her pieces appearing in print, which they sometimes did, though without her knowledge."

Several of Hannah Griffiths' pieces are evidence of talents of a superior order. They all breathe a spirit of piety and purity which commands our love, and some of them rise to a high elevation of devotional sublimity. Her versification is easy and elegant, and her poetry generally reflects with added lustre the charming traits of her exalted and polished mind.

The talents and learning which were collected in the faculty of our university immediately after its establishment, have been often noticed, and must always excite admiration and surprise. The encouragement given in that institution to the political talents of its earliest pupils, has not been, I believe, so generally known. Dr. SMITH was not only a critic of the first taste; but, if we may judge from one or two short compositions which are printed,\* might have gained some reputation

for poetical talents. He seems to have incited and encouraged every boyish attempt at rhyme, and we probably owe to his instigations a number of excellent compositions which did honour to the college and the city. Every commencement or exhibition, every occasion of general rejoicing or grief, was an opportunity for the public pronouncement of dialogues, odes, or elegies, some of which possess great beauty and animation, and are far above the ordinary capacity of collegians.

It would be tedious to designate the principal anonymous effusions which were produced at the university, but I must be permitted to notice a poem in blank verse, entitled "Pennsylvania," by a student at the college of Philadelphia. It describes the province as labouring under the distresses and terrors of warfare, and calls on Britain to rescue her helpless colony from the ravages of the French and Indians. It was printed in 1756. Franklin, in his advertisement, justly commends the judgment, genius, and public spirit with which it is written; and as the production of a boy it is really remarkable for the smoothness of its verses, the power of its descriptions, and the excellence of its taste.

Prefixed to a funeral sermon of Dr. Smith's upon Mr. W. T. Martin, a member of the first class which entered the university, are five elegiac effusions by as many of his classmates, inscribed to the Rev. Provost. Each of these young gentlemen afterwards attained some distinction in our commonwealth. Several of them quit their alma-mater with extensive learning, and a fine taste for literature; but in one alone the poetic seed appears to have produced much fruit.

One of the elegies was the production of JACOB DEENE. It is easy, polished, and harmonious, which appear to be the characteristics of all the author's compositions. After his graduation he was received into holy orders, and was elected assistant minister of Christ Church and St. Peter's. As a preacher he enjoyed great popularity, for his voice was full and musical, his elocution uncommonly graceful, and his sermons highly finished and oratorical. He advocated at first the colonial resistance of British oppression, but was alarmed when that resistance became open rebellion, and on the occupation of Philadelphia by the enemy, attached himself to them. He published the letters of Tamoc Caspepina and some sermons. We have also his commencement exercise, a dialogue in blank verse, on the accession of George III, which is an harmonious and accurate composition. It is said that he afterwards oc-

etry which I have met with, is entitled A Poem on visiting the Academy of Philadelphia, June, 1753, printed in folio, and consisting of near 300 lines. It may be praised for harmony and correctness; but neither the subject nor the occasion were calculated to inspire poetical ideas, and the author's imagination was not, it seems, able to supply them. He, however, casts a "glance from heaven to earth, from earth to heaven," and, in the latter place perceives the venerable form of Penn, who oddly enough—

With sky tinged mantle clad, and lifted hands,  
In act to touch the string majestic stands.

The founder of our province "pours forth his raptures on the lyre," and after expressing his satisfaction at the advancement in wealth, wisdom, and virtue, which his fair colony has made, concludes with much excellent advice.

At the time he composed this piece; the Rev. Mr. Smith was tutor in the family of Col. Martin, of Long Island. The distinguished place he holds in the political and literary history of our colony, has rendered the events of his life familiar to us, and I will not repeat what is elsewhere to be found in print. He published several other pieces of poetry before and after the date of that just noticed. One of them may be seen prefixed to Evan's poems, and one or two, I believe, in the collection of his works.

\* The most considerable specimen of Dr. Smith's po-



asionally wrote verses, but their loss is not to be regretted, as at most they could only have merited praise for fluency and elegance.

Another of these elegies, and one of the best, was written by Mr. PAUL JACKSON. This young gentleman was very much distinguished at the university for his genius; and his profound classical learning procured for him the Professorship of Languages very soon after his graduation. When in 1758 an expedition against the French forts and settlements was undertaken, he accepted a chaplaincy in the provincial troops, and resigned his seat to Mr. Beveridge. He was afterwards settled in Chester county, where he died. One or two of Mr. Jackson's poetical exercises were printed, and are still preserved. They are prettily written, but bear no proportion to his reputed talents; and cannot be adduced as evidence of the learning and accomplishments for which he has been praised.

We owe the fifth of these elegiac compositions to the pen of FRANCIS HOPKINSON. It is impossible, within the limits of this essay, to do justice to the character of that accomplished gentleman. He was a profound lawyer, an enlightened judge, and a patriotic statesman. His scholarship was various, and, indeed, there was no subject which the quickness and versatility of his talents did not enable him to grasp; for, to use the words of one of the most sagacious and discriminating of his contemporaries, "he excelled in music and poetry, and had some knowledge of painting." But these arts did not monopolize the powers of his mind; further, he was well skilled in many practical and useful sciences, particularly mathematics and natural philosophy, and he had a general acquaintance with the principles of anatomy, chemistry, and natural history. But his forte was humour and satire, in both of which he was not surpassed by Lucian, Swift, or Rabelais. These extraordinary powers were converted to the advancement of the interests of patriotism, virtue and science. Many of Mr. Hopkinson's poetical pieces have been collected and printed. Their subjects are mostly occasional, and though they were admirably calculated to produce a temporary effect, they cannot be fully appreciated at present. When the object of a satire is unknown, or the point of an epigram forgotten, their flatness is almost intolerable. With all these disadvantages the smaller poetic compositions of Mr. Hopkinson have not yet lost their charm, and many of his extemporary productions, like the "Battle of the Kegs," have too much humour soon to lose their popularity. Several pieces written in his youth for the American Magazine, have been praised for elegance and sprightliness; and even the "Allegro" and "il Penseroso," though they cannot be compared with their inimitable prototypes, will receive the approbation of ever-lover of poetry. His larger pieces are the "Treaty, a Poem," which, according to the author's own words, "was written on the banks of the Lehigh in the year 1761, when he served as secretary in a solemn conference held between the government of Pennsylvania and the chiefs of several Indian Nations." and "Science," a poem written in the course of the following year. They contain poetry of a high order, and with all the rest of his pieces have received the praise of critics for propriety of expression, ease of versification, and harmony of numbers. Francis Hopkinson was born in Philadelphia in 1737, and died in his native city on the 9th of May 1791.

With the Latin poems of Mr. Beveridge, are also printed the translations into English verse, and one or two original pieces, by several students of the University, who he says was still under age. As some of these translations exhibit considerable taste and talents, I need not apologise for introducing the names of their authors, STEPHEN WATTS, ALEXANDER ALEXANDER, and THOMAS COOMBE, JUN.

I presume it is no great praise of Mr. Watts' translations, to say they are better than the original Latin of Beveridge; but that he was able to form out of such

materials, verses which are easy, sprightly, and agreeable, is not a little creditable to him. He is represented to have been a man of good dispositions, and of a fine mind. He was very much distinguished at college, and at an early age gained great honor by his "Essay on the Advantages of a Perpetual Union between Great Britain and her Colonies," which is in print. He studied law at Philadelphia, but had not long been admitted to practice when he emigrated to Louisiana, where we learn that he acquired a fortune, and married a daughter of the Spanish governor.

ALEXANDER ALEXANDER quitted college with a high reputation for classical attainments, and soon after his commencement was appointed a tutor in that institution; but he had not long held this situation when he was involved in pecuniary embarrassments, and obliged to quit the city, to which he never returned. The greater part of Beveridge's Odes were done into English verse by Mr. Alexander. The translation appears to do almost too much justice to the original; and the verses, though relieved from the cumbrous weight of the Roman costume, seem not to have recovered the natural ease of the English poetry. The versification, however, is neither rude nor unharmonious. Some prefatory verses "on Mr. Beveridge's Poetical Performances" are better executed, and at times move with great propriety and gracefulness.

THOMAS COOMBE, JUN. was son of a respectable citizen of Philadelphia, who held a small office in the customs. At college he was more distinguished by his belles lettres taste than for his classical learning. He afterwards studied theology, and about 1770 was admitted into priest's orders. On his return from England he was elected as an assistant minister of Christ Church and St. Peter's. Like the Rev. Mr. Duché he was a whig at the commencement of our revolutionary struggle, and like him was alarmed, and abandoned the party when congress abjured their allegiance to the king. We find his name amongst those of our fellow citizens who, in September, 1777, were banished by the legislature of Pennsylvania to Staunton in Virginia, but he obtained permission to remain, under plea of sickness. Before the end of the war he went to England, and abandoned his country for ever. In England he was patronized by the Earl of Carlisle, who made him his chaplain, and on his elevation to the Vice-royalty of Ireland, procured him a small benefice in that country. Mr. Coombe afterwards attained greater preferment in the church, and we find him named a Prebendary of Canterbury, and one of the chaplains to his majesty. He died a few years since. The translations by Mr. Coombe display some command of language and facility of versification. In 1775 he dedicated to Dr. Goldsmith a poem, entitled "Edwin, or the Emigrant," which is a continuation of the story of the Deserted Village. It will surprise no one that it has few of the charms of that delightful production, but it is not without poetic talent, and the lines may be praised for great softness and harmony. The piece was written, it is said, to discourage emigration to this country, by a dreadful picture of its inhabitants, its situation, and its prospects, an object which at the time excited no small probation. With this poem were printed "The Unfortunate Lovers," and a few smaller pieces, which do not possess much merit.

The American Magazine has been already referred to. Of the first series, published in 1758, there appeared only 13 Nos., and ten years afterwards, when it was revived, it existed but nine months. It contained a great variety of poetry, the best of which was produced by Godfrey, Hopkinson and others, whose names have occurred above. There were, however, a good many anonymous contributions of considerable merit, but which, as the age was fruitful of tolerable poetry, it is unnecessary more particularly to notice. About the same time a number of poems were separately published, of which I may mention "The Squabble, a Pastoral Eclogue," written upon the occasion of the dis-

graceful Paxton riots; "The Manners of the Times, a Satire, by Philadelphensis," which is said to have been aimed at a number of individuals in fashionable society; and "A Panegyric, by Strephon," which seems to be an answer to the satire. The animated resistance of the colonies to the oppressive acts of the British Parliament, inspired several of our poets, and we have a great many poems and Pindaric odes on "Liberty" and "Oppression," several of which may contain some harmonious and spirited verses, but which may be generally characterized as more patriotic than poetic.

Among the poets of this period, Mr. JOHN WILCOCKS must not be forgotten. He was son of a gentleman from the West Indies, who brought him in his childhood to Philadelphia, and dying soon afterwards, left him heir to a handsome estate. He was educated at our college, where he distinguished himself more by his talents than by his application. He afterwards studied law, but was soon disgusted with that profession, and purchased an ensigncy in the 18th or Royal Regiment of Ireland. But he had not been long in the army when (in 1772) he died at the early age of 22. He is said to have been a young man of fine talents, of impetuous temper, and of generous disposition. We have a number of his poetical effusions; they consist of fables, pastorals, epigrams, and satires, written generally with elegance, and occasionally with wit. But verses which do honor to a lover or a beau, and hold a conspicuous place in ladies' albums, may not entitle their author to the name of a poet; and such are the productions of Mr. Wilcocks. They are to be found printed with the poems of one of his friends, whom I am next to mention.

MR. JOHN PARKE was, I believe, a native of Delaware; he must have been born about the year 1750, for in 1768 we find him a student in the college at Philadelphia. At the commencement of the war he entered the American army, and was attached, it is supposed, to Washington's division, for some of his pieces are dated at camp in the neighborhood of Boston, and others at Whitmarsh and Valley Forge. After the peace he was for some time in our city, and we hear of him last in Arundel county, Virginia. The most remarkable production of Mr. Parke is a poetical translation of the Odes of Horace. Several of his versions appear to have been college exercises, and most of the rest were written at camp in moments with difficulty stolen from his military duties. Our admiration of the classical taste of this young soldier, and our astonishment at his tranquil prosecution of his favourite studies in the midst of military bustle, almost disarm criticism. If the lines are occasionally unpolished, or have failed to catch the spirit of the original, we must be ready to excuse them; and it would be unfair to withhold our approbation from many verses which really possess great spirit and elegance, because they might perhaps have been more happily executed; for we must recollect, that we have no translation of the Lyrics of Horace which does any thing like justice to them, and that it is the opinion of scholars that we never can have.

In the same volume are to be found several translations from the classical poets, a number of odes, and other occasional pieces, and a pastoral drama entitled "Virginia." Most of these pieces were inspired by friendship or patriotism, and are evidences of a warm heart, a cultivated understanding, and a correct taste.

With the name of Mr. Parke I now close my catalogue of the early poets of Pennsylvania. Its prolixity seems to call for an apology, and yet I know not how I could have exhibited the extent to which poetry was cultivated in the province but by referring to a series of unsuccessful efforts, and naming many indifferent poets. As the object of this paper has been to prove the existence in Pennsylvania of poetical taste, rather than of poetical talent, I may, perhaps, flatter myself that it has not fallen short of its aim; at all events, I am entitled to ask of this society their favourable countenance of an attempt to rescue our ancestors from the charge of illiteracy and

inelegance, and to prove, that although the austerity of their religion and the hardness of their fortunes may have at first prevented any great patronage of the elegant arts, yet that competence and leisure quickly mitigated this severity, and the society of colonists became

to soft refinements less a foe,  
Wit grew polite, and numbers learned to flow.

*Postscript.*—Since the foregoing pages were prepared for the press, I have had in my hands several copy books of the familiar letters of JAMES LOGAN, and find that his name must be added to the catalogue of our early poets.

It seems that he translated into English verse, for the use of his daughters, the Distichs of Cato, and that this version is in print.

It appears, also, that he was particularly ready at Latin versification, and that he frequently addressed to his learned friends, playful odes or epistles in Roman numbers. In one of his letters to the accomplished Colonel Hunter governor, of New Jersey, I find mention of a Greek ode which he had just written, a proof of singular scholarship in that beautiful language.

These compositions I have not seen; of course, I cannot speak of their merits. I need not add any account of their author; his name, character, and station, are familiar to every one here, and a satisfactory history of his life and acquirements is precluded by the limits of this paper.

## DIVISION OF THE COUNTY.

### *Meeting for the dividing the county of Philadelphia.*

At a numerous and respectable meeting of the inhabitants of Lower Dublin Township, convened by public notice at the Inn of Benjamin Snyder, in Bustleton, on Friday the 2d September inst. for the purpose of taking into consideration the resolutions passed at a meeting of the inhabitants of Germantown township, held at Germantown on Thursday 11th of August last, for dividing the county of Philadelphia, and for assisting which, the co-operation of the inhabitants of Lower Dublin township, and other townships composing the northern section of the county was invited, by sending delegates to meet hereafter in Convention,

Samuel Swift was called to the Chair and John W. Trump, appointed Secretary.

After the published proceedings, and circular from the Germantown Committee of correspondence, had been read and discussed, the following resolutions were unanimously adopted.

Resolved, That three delegates be appointed for this Township with power to supply any vacancies in their number, who shall be authorized by this meeting to confer with an equal number appointed by the townships of Germantown and others, on the subject of a division of the county of Philadelphia in future Convention, whereupon Samuel Swift, John H. Gibbon, and Daniel Walton were nominated and appointed.

Resolved, That the delegates be instructed to inquire into and ascertain the sentiments of the people of the other townships, both as to their willingness to unite in the proposed plan, and to learn their views in regard to the place proposed for the county town, and give their aid for effecting it by the ensuing Legislature provided it appears to them, there is fairness and equality intended, as to fixing the place for the public buildings in the centre of the proposed district, having in view both population and geographical limits.

Resolved, That this committee of delegates communicate by letter or otherwise, with the corresponding committee of Germantown, &c. in relation to their own appointment, and the ulterior movements of the other parties, the townships before mentioned.

Resolved, That the said delegates be instructed to use their exertions to have the subject of division sub-

mitted directly to the people of the townships invited to form a new County.

SAMUEL SWIFT, Chairman.

JOHN W. THUMP, Secretary.

#### *Meeting for the Division of the County of Philadelphia.*

At a meeting held in Moreland Township Philadelphia County, on Monday, the 29th inst. to take into consideration the propriety of sending delegates from the said township, to meet delegates that may be appointed in other townships, for the purpose of discussing the subject of a division of the county, of Philadelphia, and erecting therefrom a new county, Jacob Shearer Esq. was called to the Chair, and George Breck, appointed Secretary.

The Circular of the committee of Correspondence of Germantown Township being read, the following gentlemen were nominated and appointed Delegates, viz:—George Breck, Franklin Comly, and Jacob Shearer, jr.—the same also being appointed a Committee of Correspondence.

*Resolved*, That the proceedings of the meeting be published. SAMUEL COMLY, Chairman.

GEORGE BRECK, Secretary.

#### DIVISION OF THE COUNTY.

At a meeting of the citizens of the township or Blockley, held at the Rising Sun Tavern, (Lancaster Turnpike,) September 5, 1831, in consequence of an invitation from the Committee of Correspondence of Germantown, on the subject of dividing the county of Philadelphia.

SAMUEL BRECK was appointed Chairman, and HENRY LEECH Secretary.

A circular from the Germantown Committee having been read, and the object of the meeting explained by the Chairman, the following resolution was unanimously adopted.

*Resolved* by the inhabitants of Blockley, assembled as aforesaid, That they consider a separation from the city, and division of the county inexpedient, and therefore decline joining in any measures that may tend to that end.

*Resolved*, That the Chairman communicate the foregoing to the Committee of Correspondence in Germantown, and cause the proceedings of this meeting to be published.

SAMUEL BRECK, Chairman.

HENRY LEECH, Secretary.

#### PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, Sep. 8, 1831.

**SELECT COUNCIL.**—Mr. Worrell presented a petition for the regulation of Walnut street, near Tenth, which was referred to the paving committee.

Mr. Worrell also presented a petition from the occupants of stalls in the High street market, between Third and Fourth streets, which was referred to the market committee.

PHILADELPHIA, Sept. 8, 1831.

#### *To the Select and Common Councils of the City of Philadelphia.*

Gentlemen—The undersigned, holders of stalls in High street market, between Third and Fourth streets, most respectfully represent, that the stalls occupied by them on the north side of the market, from Third about half way to Fourth street, are rendered almost useless to them in rainy and inclement weather, from the decayed and impaired state of the roof, which admits the water so freely as materially to injure their articles of commerce, and to render them unprotected by shelter in stormy and unfavourable weather. They, therefore, respectfully pray your honourable body to have the said roof repaired as soon as it may be practicable. With sentiments of high respect, we are, &c.

Mr. Worrell presented the following petition to alter the names of the streets running north and south, west of Broad street, which was laid on the table:

#### *To the Select Council of the City of Philadelphia.*

The memorial of the subscribers, residing west of Broad street, in the city of Philadelphia, and others, owners of property in said district, respectfully sheweth:

That they, in common with many other citizens, are dissatisfied with the present designation of the streets, running north and south, within the limits of that section of our city; and are of opinion that a change could be made much more conducive to their advantage, by rendering the subject more intelligible, and familiar to strangers. The increasing trade and improvements on the river Schuylkill, have of later years raised us to some commercial importance and consideration, and from its present healthy condition we may reasonably expect its advancement. Our object is to promote this spirit of laudable enterprise, by removing all ambiguity in names, and rendering what was difficult to be understood, plain and comprehensive.

In order, therefore, to produce so desirable a result, we earnestly call your attention to the act recently passed on this subject, by the body composing the "Common Council," of which we highly approve, and solicit your sanction to the same, that the change in title may take effect without further delay.

All of which is, with due deference, submitted to your decision.

Mr. Neff presented the ensuing petition from Messrs. Hollingshead and Platt which was referred to a joint committee of two members of each Council, and Messrs. Wetherill, Hood, Neff, and Lippincott, were appointed the committee.

#### *To the President and Members of the Select and Common Councils.*

Gentlemen—We have lately become owners of about eighty feet of wharf property, situate between Market and Arch streets, immediately north of Mr. Girard's stores. If the situation referred to is known to the members of Councils, they will recollect that it is now occupied by old and decayed buildings, that the passage between them and the head of the dock, is inconveniently narrow and that the wharf is unimproved and ruinous.

We propose to erect handsome and substantial stores, to enlarge, and pave the passage along the river front, to extend the wharf, and to make such an improvement as will greatly beautify that part of the city, and contribute to its healthfulness. Between the north line of Mr. Girard's property and our south line, there is a public ten feet wide alley, the eastern end of which is now in such a situation as to be at all times offensive. The improvements contemplated by us, cannot be so made as to give an uniformly pure and beautiful front to that part of the wharves, unless the city will unite in the contemplated alteration, or permit us to extend the improvement so as to include these ten feet in the projected new wharf, but reserving to the public its rights over them as a highway.

The object of this application is to ask of the Councils, that they will be pleased to appoint a committee to confer with us upon the subject submitted. We believe that an examination of the property will show, that it is the interest of the city to adopt some measures which will contribute to change the appearance of this now unsightly portion of its eastern front.

We are most respectfully,

Your obedient servants,

HOLLINGSHEAD, PLATT & Co.

Philadelphia, 5th Sept. 1831.

Mr. Kittera presented the subjoined petition from Mr. Nathan Bunker, which was referred to Messrs. Kittera, Warren, Johnson and Oldenburg.

PHILADELPHIA, 9 mo. 6, 1831.

#### *To the Select and Common Councils.*

Respected friends;—Being the owner of a small lot



of ground at the corner of Washington and Locust sts, I am desirous of building on it in the spring, somewhat on the plan annexed. The season is now at hand for making engagements for materials preparatory thereto, and in consequence of some proceedings already taken place in Councils relative to widening Locust street, from Eighth to Washington street, I am led to apprehend my house might be taken down for that purpose, after my time had been consumed, and my money expended in its erection, which could neither prove profitable to me or the public, and far from agreeable to my inclination to enter into controversy on the score of damages. The loss to me would be a serious one if the ground with the building now on it were taken from me for that purpose, and necessarily much increased after the erection of new brick buildings. The owners of the ground composing the remainder of that square are few in number, none of whom I believe are desirous the streets should be widened and for my own part I can see no necessity for it. The buildings at present on my lot rent for \$260 per annum, and if removed preparatory to building, before the determination of the public, as to widening the street is known, it may increase my loss by the loss of rent until the question is settled. I am persuaded no disposition exists with the members to inflict on any citizen losses that may be avoided,—much less a disposition to retard or delay the removal of frame buildings, that are to be replaced by substantial brick ones, thereby increasing security against fire, and adding some ornament to that fanciful part of our city, for although the house I propose erecting is somewhat varying from the usual style of building dwellings, yet I am persuaded the neatness of its appearance, and the comforts of its arrangements, will aid the general improvement of the neighborhood.—Hoping some early steps may be taken by Councils to end my suspense on the subject, I remain, sincerely,

N. BUNKER.

Resolved by the Select and Common Councils, that the petitions of N. Bunker, and E. Rogers, and all proceedings of Councils in relation to the latter, be referred to a joint committee of two members from each Council, to report such information in regard to the subject as may be necessary and the measures which it would be proper to adopt.

Mr. Kittera as Chairman of the Committee on Independence Square made the following report, accompanied with the annexed letter from William Rush, Esq.

*To the Select and Common Councils.*

The Committee on the State House and Independent square, report:

That they have received a letter from Wm. Rush, Esq. offering for sale the statue of Washington, which for many years has been in the Hall of Independence. Not considering themselves authorized to act in relation to it, they submit for the information of Councils the communication of this venerable architect, who for many years was a prominent and useful member of the Select Council, and whose work is considered, by many as one of great merit.

THOMAS KITTERA, Esq.

Dear Sir—As Chairman of the Committee on the State House and Independence Square, I take the liberty to address you, and your fellow members through you as follows:

As you are about restoring the Hall of Independence to its original style of architecture, I would suggest whether it would not be very appropriate to give the figure of Washington (which has occupied a place in the room since General Lafayette figured in it) a permanent fixture in some conspicuous part of the room.

With due deference I would submit my opinion as to the propriety of placing the figure permanently in the Hall—for the following reason, I believe the spirit and fortitude of Washington inspired and presided over that august assembly of Patriots, that made the solemn Declaration of Independence of the United States,

while he in person at the same time was armed in the field boldly to defend it and eventually through a kind Providence established it—this is my idea of the disposal of the figures, apart from any particular interest I may have in placing it in the Hall.

But gentlemen, I frankly acknowledge I have several reasons in proposing to you the placing of the figure in the Hall, first the figure is my property, and executed by myself some eighteen or nineteen years past, I wish it a perpetual place in the Hall, that it may be said that a prophet may obtain some honor in his native place.

I think you need not have any doubts as to its being a good likeness—I have modeled Gen. Washington in his life time frequently, in miniature and as large as life. Judge Washington pronounced the figure here alluded to immediately on sight a better likeness than Stewart's. Also, I am disposed to sell it if I can obtain a liberal compensation.

When the Exchange was building at Baltimore, Mr. Dennis Smith offered me \$500, which I refused as it would not scarcely pay me for the mere labour of nearly four months. I have been about sixty years at my business, and probably have exhibited some humble talents, that would entitle me to some consideration more than a mere laborer.

The figure is excavated, and saturated with oil, and would be as durable as any furniture in a room covered from the weather.

One observation more, I mention it not with the idea that my long service of twenty-two years in the City Councils, can add any merit to my work as a sculptor, but if Councils in viewing the figure should discover merit in it, sufficient to induce them to purchase it—it might have some consideration, in rendering me a considerable kindness, and at the same time do me much honour.

With great respect, I remain yours and the committees, humble servant.

WM. RUSH.

Mr. Kittera offered the ensuing resolution, which was adopted by both Councils.

Resolved by the Senate and Common Councils, that the committee on the state house and independence square, be authorised to purchase at a price not exceeding 500 dollars, the statue of Washington, offered for sale by Wm. Rush, Esq. and the same be charged to appropriation No. 21.

Mr. Kittera offered the annexed resolution, which was adopted by both Councils.

Resolved by the Select and Common Councils, That the city commissioners be and they are hereby directed to cause Chesnut street, from fifth to sixth street, to be McAdams under the direction of the Paving Committee, and charge the expense to appropriation, N. 1.

Mr. Kittera offered the following resolution, which was adopted by both Councils, and was referred to Messrs. Kittera, Lippencott, Massey, Cave Patterson, and Kneass.

Resolved by the Select and Common Councils, that a committee of three members from each Council be appointed to inquire and report whether it be expedient to improve the Drawbridge Dock for a steam boat or commercial landing, and the probable expense of such improvement.

COMMON COUNCIL.—Several petitions were presented in the common council similar to those presented in the Select Council.

Mr. Wetherill from the committee on fire companies made the annexed report.

The Committee on fire companies beg leave to report, that they have endeavoured to discharge impartially the duties required of them by the ordinances, which place under their control 5000 dollars to be appropriated among the fire engine and hose companies in the city, who shall comply with the provisions of said ordinances.

The committees have certified the following appro-



priations to the Mayor and requested him to draw his warrant on the city treasurer for the said sums in favour of the president of their respective companies, viz:

Engine Companies-	Hose Companies.
Assistance, 175	America, 201
Columbia, 175	Columbia; 201
Delaware, 175	Fame, 201
Diligent, 227	Good Intent, 201
Good Will, 175	Hope, 201
Hand in Hand, 160	Neptune, 201
Harmony, 175	Perseverance, 201
Hibernia, 175	Philadelphia, 201
Hope, 160	Phoenix, 227
Pennsylvania, 227	Resolution, 201
Philadelphia, 227	Southwark, 201
Reliance, 175	Washington, 201
Vigilant, 175	
Washington, 161	
2562	2438
	2562
	5000

The Committee also beg leave to report in relation to the memorial of the Robert Morris hose company for aid from councils, that this company having been instituted since the 12th of May, 1823, is not embraced within the provisions of the present ordinances.

Mr. Wetherill from the committee on the revised ordinances reported the following ordinances which were twice read and ordered to be printed.

A supplement to the ordinance passed 27th May, 1828, entitled "An ordinance to prevent dogs from running at large" &c.

It shall be the duty of the High Constables, or such of them as shall be designated for that purpose by the Mayor, to cause to be made a proper pattern of a muzzle for dogs, either of wire-work, leather, or other material of such a description as not to prevent them from drinking, but as effectually to prevent them from biting or snapping; which pattern when approved by the Mayor shall be placed in his office for public inspection:—with directions of the proper manner of attaching and securing the same: And from and after the first day of January next, no muzzle shall be deemed to be in sufficient compliance with the provisions of the first section of the ordinance, to which this is a supplement, unless made in form and character like to the said pattern, and attached and secured according to the said directions.

An ordinance for the regulation and controul of persons keeping Oyster Cellars.

Sect. 1. The Mayor may from time to time direct the registry by the city commissioners of such persons desirous of keeping oyster cellars, as shall produce to him satisfactory evidence of good character, which registry shall specify the name of the party and the situation of the cellar; and thereupon a certificate thereof shall issue signed by the commissioners and countersigned by the city clerk.

Sect. 2. Such registry and certificate shall continue in force until the first day of March next ensuing; unless sooner revoked by the Mayor, on a conviction of a violation by the party registered or those in his employ, of the laws of the state or ordinances of the city, or on its appearing to him that such party has broken and disregarded the regulations hereinafter referred to.

Sect. 3. Every person so registered shall at the time of receiving his first certificate pay to the city clerk for the use of the city the sum of five dollars,—and for each renewal of such registry the sum of two dollars.

Sect. 4. The Mayor shall from time to time prepare such regulations for the government of the persons so registered as he shall judge proper; which regulations shall be by him submitted to the councils for their approval, and when approved by them, shall be recorded

and published in like manner, with and have the same force and effect as the ordinances of the city.

Sect 5. After the first day of January next, no person shall keep an oyster cellar in the city of Philadelphia, without first receiving a certificate of registry in the manner herein before prescribed; under a penalty of fifty dollars, to be recovered by action of debt; one half thereof to the informer, and one half to the treasurer of the city.

Mr. Kneass from the committee of accounts made report that they find the city treasurer's quarterly accounts from the first of April to the first of July last, and also Dr. Franklin's and John Scott's Legacy accounts, correct.

Mr. Johnson, sa chairman of the Paving Committee, offered the following resolution which was agreed to by both councils.

Whereas, by a resolution of councils, Spruce street from 13th to Broad street is directed to be re-paved, as soon as the iron pipes are laid down.

And whereas, the size of pipe intended for that street cannot be obtained during the present season, and the condition of the pavement is such as requires immediate attention.

Therefore resolved, by the Select and Common Councils, that the city commissioners be and they are hereby directed, to cause Spruce street from 13th to Broad streets, to be re-paved, and charge the expense to appropriation No. 1.

Mr. Johnson read in his place the annexed ordinance relative to the Robert Morris hose company, which was passed by the common council but was laid on the table in the select council.

A supplement to an ordinance, entitled an ordinance, granting aid to the hose and fire companies.

Be it ordained and enacted by the citizens of Philadelphia, in select and common councils assembled, That the provisions of the ordinance to which this is a supplement, passed the 14th day of February, 1828, be and the same are hereby extended to the Robert Morris hose company, and that the said company be placed on the same footing as if it had been instituted prior to the 12th day of May, 1823.

The Common Council appointed on their part Messrs. Ryan and Wetherill on the committee relative to steam boats.

Councils adjourned until next Thursday evening.—*Philadelphia Gazette.*

## THE PENNSYLVANIA.

The New York Journal of Commerce lately stated, on the authority of an "intelligent officer of the navy," that the Pennsylvania, the noble three-decker built at our Navy Yard, had settled on the stocks. This is a mistake which we are glad to have the means of correcting. The ship was never more secure and erect in her station than at present; and her actual condition, as well as her immense size and perfect workmanship, excites the admiration of all who inspect her. She has never settled even in the slightest degree, and there is no reason whatever to apprehend such an occurrence. She is supported by a stone wall, under the whole length of her keel, of four feet in breadth, on each side of which are two walls of equal length and also of solid masonry, their thickness being each three feet; with thirty-two transverse walls of similar construction, four feet apart, and each two feet and a half thick. These all rest on solid ground, and are laid, wherever this was necessary, in water cement. The interstices are filled with rubble stone, well rammed in; and the whole forms a mass not to be shaken by any thing less powerful than an earthquake.

The informant of the New York paper observed the guns of the ship lying near her; but his carelessness is proved by his statement that they are all forty-two pound-

ders. She is to have these on the lower gun deck only, with thirty-two's above. She is calculated for one hundred and thirty-eight; but may carry two more.

The Raritan frigate stands upon a similar structure.

Our information is derived from an officer whose professional knowledge and skill are well known to us, and whose post requires him to be thoroughly acquainted with every thing connected with the Navy Yard.—*Chronicle.*

### CHRONOLOGICAL LIST

*Of the Officers of the U. States Government, under the Constitution, compiled from authentic sources; and lately revised and perfected by the Editor of the United States Telegraph.*

#### PRESIDENTS.

George Washington of Virginia, elected	1789
John Adams of Massachusetts,	1797
Thomas Jefferson of Virginia,	1801
James Madison of Virginia,	1809
James Monroe of Virginia,	1817
John Quincy Adams of Massachusetts,	1825
Andrew Jackson of Tennessee,	1829

#### VICE PRESIDENTS.

John Adams of Massachusetts,	1789
Thomas Jefferson of Virginia,	1797
Aaron Burr of New York,	1801
George Clinton of N. York, (Died, April 20, 1812,)	1810
Elbridge Gerry of Mass. (Died, Nov. 23, 1814,)	1813
Daniel D. Tompkins of New York,	1817
John C. Calhoun of South Carolina,	1825

#### SECRETARIES OF STATE.

Thomas Jefferson of Virginia, appointed	1789
Edmund Randolph of Virginia,	1794
Timothy Pickering of Pennsylvania,	1795
John Marshall of Virginia,	1800
James Madison of Virginia,	1801
Robert Smith of Maryland,	1809
James Monroe of Virginia,	1811
John Quincy Adams of Massachusetts,	1817
Henry Clay of Kentucky	1825
Martin Van Buren of New York,	1829
Edward Livingston of Louisiana,	1831

#### SECRETARIES OF THE TREASURY.

Alexander Hamilton of New York,	1789
Oliver Wolcott of Connecticut,	1795
Samuel Dexter of Massachusetts,	1801
Albert Gallatin of Pennsylvania,	1802
George W. Campbell of Tennessee,	1814
Alexander J. Dallas of Pennsylvania,	1814
William H. Crawford of Georgia,	1817
Richard Rush of Pennsylvania,	1825
Samuel D. Ingham of Pennsylvania,	1829
Louis M'Lane of Delaware,	1831

#### SECRETARIES OF WAR.

Henry Knox of Massachusetts, appointed	1789
Timothy Pickering of Pennsylvania,	1795
James M'Henry of Maryland,	1796
Samuel Dexter of Massachusetts,	1800
Roger Griswold of Connecticut,	1801
Henry Dearborn of Massachusetts,	1801
William Eustis of Massachusetts,	1809
John Armstrong of New York,	1813
William H. Crawford of Georgia,	1815
Isaac Shelby of Kentucky, (did not accept,)	1817
John C. Calhoun of South Carolina,	1817
James Barbour of Virginia,	1825
Peter B. Porter of New York,	1828
John H. Eaton of Tennessee,	1829
Lewis Cass of Ohio,	1831

#### SECRETARIES OF THE NAVY.

[*Note.*—This department was not established until the

30th of April, 1798, being prior to that date a branch of the War Department.]

George Cabot of Massachusetts, appointed	1798
Benjamin Stoddard of Maryland,	1798
Robert Smith of Maryland,	1802
Jacob Crowninshield of Massachusetts,	1805
Paul Hamilton of South Carolina,	1809
William Jones of Pennsylvania,	1812
Benjamin W. Crowninshield of Massachusetts,	1814
Smith Thompson of New York,	1818
Samuel L. Southard of New Jersey,	1823
John Branch of North Carolina,	1829
Levi Woodbury of New Hampshire,	1831

#### POSTMASTERS GENERAL.

Samuel Osgood of Massachusetts, appointed	1789
Timothy Pickering of Pennsylvania,	1791
Joseph Habersham of Georgia,	1795
Gideon Granger of Connecticut,	1802
Return J. Meigs of Ohio,	1814
John M'Lean of Ohio,	1823
William T. Barry of Kentucky,	1829

#### CHIEF JUSTICES OF THE SUPREME COURT.

John Jay of New York, appointed	1789
William Cushing of Massachusetts,	1796
Oliver Ellsworth of Connecticut,	1796
John Jay of New York,	1800
John Marshall of Virginia,	1801

#### ATTORNEYS GENERAL.

Edmund Randolph of Virginia, appointed	1789
William Bradford of Pennsylvania,	1794
Charles Lee of Virginia,	1795
Levi Lincoln of Massachusetts,	1801
Robert Smith of Maryland,	1805
John Breckenridge of Kentucky,	1806
Cesar A. Rodney of Delaware,	1807
William Pinckney of Maryland,	1811
Richard Rush of Pennsylvania,	1814
William Wirt of Virginia,	1817
John M. Berrien of Georgia,	1829
Roger B. Taney of Maryland,	1831

#### SPEAKERS OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

First Congress—first and second sessions held at New York, third at Philadelphia—Frederick A. Muhlenburg of Pennsylvania,	1789
Second Congress, held at Philadelphia—Jonathan Trumbull of Connecticut,	1791
Third Congress, held at Philadelphia—Frederick A. Muhlenburg of Pennsylvania,	1793
Fourth Congress, held at Philadelphia—Jonathan Dayton of New Jersey,	1795
Fifth Congress, held at Philadelphia—Jonathan Dayton of New Jersey,	1797
Sixth Congress, first session at Philadelphia, second at Washington—Theodore Sedgwick of Mass.	1799
Seventh Congress, held at Washington—Nathaniel Macon of North Carolina,	1801
Eighth Congress—Nathaniel Macon of N. Carolina,	1803
Ninth Congress—Nathaniel Macon of N. Carolina,	1805
Tenth Congress—Jos. B. Varnum of Massachusetts,	1807
Eleventh Congress—Joseph B. Varnum of Mass.	1809
Twelfth Congress—Henry Clay of Kentucky,	1811
Thirteenth Congress—Henry Clay of Kentucky, (until January 17th, 1814—Langdon Cheves of South Carolina, for the residue of the Congress).	1813
Fourteenth Congress—Henry Clay of Kentucky,	1815
Fifteenth Congress—Henry Clay of Kentucky,	1817
Sixteenth Congress—Henry Clay of Kentucky, during the first session,	1819
John W. Taylor of New York, during the second session,	1820
Seventeenth Congress—Philip P. Barbour of Va.	1821
Eighteenth Congress—Henry Clay of Kentucky,	1823
Nineteenth Congress—John W. Taylor of N. York,	1825
Twentieth Congress—Andrew Stevenson of Va.	1827
Twenty-first Congress—Andrew Stevenson of Va.	1829

## BANK OF THE UNITED STATES.

*Report of the proceedings of the triennial meeting of the Stockholders of the Bank of the United States. Held according to the thirteenth article of the eleventh section of the Charter, at Philadelphia, on the first day of September, 1831.*

At the General Triennial meeting of the Stockholders of the Bank of the United States, held at their Hall, in the city of Philadelphia, on Thursday the first day of September, 1831, at 10 o'clock, A. M.

STEPHEN GIRARD, Esq. of the city of Philadelphia, was called to preside, and

JOHN POTTER, Esq. of South Carolina, appointed Secretary.

NICHOLAS BIDDLE, Esq. the President of the Bank, on behalf of the Board of Directors, submitted the following

## REPORT:

The Board of Directors of the Bank of the United States, in compliance with the 13th Article of the 11th Section of the Charter of the Bank, which declares, that "once in every three years the Directors shall lay before the Stockholders, at a general meeting, for their information, an exact and particular statement of the debts which shall have remained unpaid after the expiration of the original credit, for a period of treble the term of that credit, and of the surplus of the profits, if any, after deducting losses and dividends," have now the honour to submit to the Stockholders the statements therein required.

As, however, these documents, present only an imperfect view of the situation of the Bank, the Board of Directors gladly avail themselves of the presence of so many respectable gentlemen interested in its prosperity to explain minutely the whole state of its affairs. To this they will accordingly proceed.

The Capital of the Bank consists of 350,000 shares, of which 70,000 are owned by the Government of the United States. The Government originally provided for its subscription by giving to the Bank a stock bearing interest at five per cent. This stock has been for some time in a course of redemption, and in July last the whole of it was reimbursed, so that the Government has now fully paid for its shares.

In receiving the individual subscriptions for the 280,000 shares by so many Commissioners, and at so many distant points, there arose some errors which caused a deficiency of a few thousand dollars in the capital. After rectifying these errors as far as practicable, it was deemed proper in July last to supply the deficiency, amounting then to \$3,730 37 from the general funds—so that the capital of thirty-five million of dollars is now entire. This capital is divided among the stockholders as follows:

## DISTRIBUTION JULY 1831.

	<i>Names.</i>	<i>Shares.</i>
Maine,	14	498
Vermont,	2	27
New Hampshire,	23	501
Massachusetts,	208	10,812
Rhode Island,	38	1,245
Connecticut,	61	1,511
New York,	439	32,903
New Jersey,	77	2,665
Pennsylvania,	937	52,638
Delaware,	39	1,583
Maryland,	623	34,503
District of Columbia,	63	2,814
Virginia,	276	12,384
North Carolina,	39	2,476
South Carolina,	735	40,674
Georgia,	42	1,981
Ohio,	15	705
Kentucky,	22	252
Tennessee,	4	238
Indiana,	2	50

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Illinois,	2	220
Louisiana,	17	119
Arkansas Territory,	1	42
Foreign Stockholders,	466	79,159
United States,		70,000
	4,145	350,000

The progress of this division of the Stock will be perceived in the following sketch:

In 1817 there were	31,349	Stockholders.
1818	-	4,142
1819	-	3,544
1820	-	2,730
1821	-	2,747
1822	-	2,649
1823	-	2,597
1824	-	2,861
1825	-	2,776
1826	-	3,347
1827	-	3,482
1828	-	3,686
1829	-	3,833
1830	-	4,140
1831	-	4,145

It will here be perceived that the original subscriptions were divided among a great number of persons, in order to secure the amount of Stock desired; but became afterwards concentrated in the names of the real owners. The whole number of Stockholders was in 1820, 2720. From that period the number has risen to 4,145. The extent of this diffusion will be seen in the following Table:

## DOMESTIC.

Holders of	1 Share	owning	128 Shares
" " 2 Shares	159	"	318
" " 3	111	"	333
" " 4	121	"	484
" " 5	235	"	1,175
" between 5 and 10 shares,	656	"	5,685
" " 10 and 20	688	"	10,978
" " 20 and 30	336	"	8,838
" " 30 and 40	207	"	7,494
" " 40 and 50	224	"	10,583
" " 50 and 100	435	"	32,689
" " 100 and 200	194	"	29,075
" of above	200	185	93,061
		3679	200,841

## FOREIGN.

Holders of	1 Share	owning	5 Shares
" " 2	"	0	0
" " 3	"	1	3
" " 4	"	2	8
" " 5	"	6	30
" between 5 and 10 shares	23	"	209
" " 10 and 20	37	"	614
" " 20 and 30	32	"	854
" " 30 and 40	34	"	1,291
" " 40 and 50	51	"	2,415
" " 50 and 100	104	"	7,403
" " 100 and 200	72	"	10,730
" above	200	97	55,597
		466	79,159

Of these are

DOMESTIC, Females, 832 holding 22,896 Shares.

FOREIGN, " 69 " 6,117

DOMESTIC Trusts, Executors, &c., " 315 holding 17,081 Shares.

FOREIGN, " " 14 " 3,363

329 20,446



DOMESTIC Societies, Corp. &c. 126 holding 14,309 Shr's.  
FOREIGN, none none.

From these the following results may be gathered:

1st. That out of the 3,679 domestic Stockholders, 766 are holders of Shares of and under \$500, amounting to \$243,800—that 1,447 are Stockholders who own sums of and under \$1,000, amounting to \$812,300—that 2865 are Stockholders of and under \$5,000 amounting to \$4,601,600; being nearly one-fourth of the whole domestic stock.

It further appears that the sum of 54,286 shares, being much more than one-fourth of the whole domestic stock, is owned by females, trustees and executors, and by religious, benevolent, and other associations.

The Capital thus owned is divided for the purposes of business between the Bank and the following twenty-five offices:

Portland,	Fayetteville,
Portsmouth,	Charleston,
Boston,	Savannah,
Providence,	Mobile,
Hartford,	Natchez,
Burlington,	New Orleans,
New York,	St. Louis,
Utica,	Nashville,
Buffalo,	Louisville,
Baltimore,	Lexington,
Washington,	Cincinnati,
Richmond,	Pittsburg,
Norfolk,	

The number of Offices established in 1817 was eighteen; since then two offices have been discontinued—Middletown in Connecticut, and Chillicothe in Ohio, and nine others have been established. Portland in Maine; Burlington in Vermont; Hartford in Connecticut; Utica and Buffalo in New York; St. Louis in Missouri; Nashville in Tennessee; Natchez in Mississippi; Mobile in Alabama; making an addition of seven offices within the last fourteen years.

These points were selected out of applications from thirty-eight places. There are now under consideration applications for the establishment of Branches from more than a thirty places in various parts of the United States.

The employment of the capital will be seen in the following statement of the condition of the Bank on the 1st of August.

DR.		
Funded Debt, various	-	3,497,681 06
Bills Discounted on Personal Security, 41,585,298 70		
‘ Funded debt, 19,700 00		
‘ Bank stock, 779,458 07		
	-	42,384,456 77
Domestic Bills of Exchange, 14,409,479 72		
	-	56,793,936 49
Foreign Bills of Exchange,	-	121,214 60
Real Estate,	-	2,491,892 99
Due from Bank U. S. and of- fices,	-	24,586,664 94
‘ State Banks,	-	2,903,402 51
	-	27,490,067 45
‘ United States,	-	5,267 32
Deficiencies,	-	145,253 67
Banking Houses,	-	1,160,455 54
Expenses,	-	68,713 34
Cash, viz. Notes of the Bank		
U. States,	-	13,412,176 44
‘ State Banks,	-	2,080,442 33
‘ Specie,	-	11,545,116 51
	-	27,037,735 28
Mortgages,	-	140,956 63
Navy Agent, Norfolk,	-	40,144 17
		118,993,323 54

CR.		
Capital Stock,	-	35,000,000 00
Notes issued,	-	33,811,623 96
Discount, Exchange and Interest,	-	476,965 51
Foreign Exchange Account,	-	137,719 56
Baring, Brothers & Co., Hottinguer & Co., and Hope & Co.,	} -	168,372 72
Dividends unclaimed,	-	251,766 03
Profit and loss,	-	1,750,048 51
Contingent Fund,	5,613,173 15	
Less losses chargeable to contingent Fund,	3,452,976 16	
	-	2,160,196 99
Due to Bank U. States and offices,	24,096,888 57	
‘ State Banks,	2,771,656 00	
	-	26,868,544 37
Redemption of Public Debt,	-	483,147 46
Deposites on account of the Treasurer of the U. States,	5,505,924 28	
Less overdrafts and special Deposites,	-	28,420 09
	-	5,477,504 19
Of Public Offices,	-	1,291,597 77
Individuals,	-	9,115,836 47
	-	15,884,938 43
		118,993,323 54

The analysis of this account presents the following view of the investments of the Bank, and the distribution of its funds.

*The Investments of the Bank—*

Capital paid in,	-	35,000,000 00
The Circulation,	-	22,399,447 52
Deposits, Public,	7,252,249 42	
‘ Private,	9,115,836 47	
	-	16,368,085 89
Due to Individuals in Europe,	-	168,372 72
Unclaimed Dividends,	-	251,766 03
Contingent Fund to meet losses,	-	5,613,173 15
Discount, Exchange and Interest, (includ- ing Foreign Exchanges,)	-	614,685 07
Profit and Loss,	-	1,750,048 51
		82,165,578 89

DISTRIBUTION.		
Funded Debt,	-	3,497,681 06
<i>Loans.</i>		
Personal Security,	-	41,585,298 70
Funded Debt,	-	19,700 00
Domestic Bills,	-	14,409,479 72
Foreign do.	-	121,214 60
Bank Stock,	-	779,458 07
Mortgages,	-	140,956 63
Debts chargeable to Contin- gent Fund,	-	3,452,976 16
	-	60,509,083 88
Real Estate,	-	2,491,892 99
Due from sundry Offices and Banks,	-	621,523 08
Expenses, &c.	-	259,383 50
Banking Houses,	-	1,160,455 54
Notes of State Banks,	-	2,080,442 33
Specie,	-	11,545,116 51
		82,165,578 89

Two only of these items require special observation.—

The Contingent Fund and Real Estate

1st. *The Contingent Fund—*

The total amount of the suspended Debt, including Cash deficiencies, Overdrafts, and the debt of the Bank of Columbia is, 7,851,281 82  
Of this the part estimated as desperate, and therefore considered as lost, is 452,976 16

And on the remaining,	4,398,305 66
The estimated loss after a rigid examination, is	1,851,034 42
Now, the contingent Fund to meet this loss, is	5,613,173 15
The total of the actual and estimated losses, is	5,504,010 58
Leaving an excess of Provision, over the estimate, of	309,162 57

That this sum will be fully adequate for the purpose will be apparent from the facts,

1st. That amongst the estimates of loss is \$236,829 77, for the losses of the Agency at Cincinnati, which will in all probability be entirely retrieved by the increasing value of the Real Estate there.

2d. That the arrears of interest on the debts at the four western offices are expressly appropriated to the increase of the Fund. And

3d. That something may yet be received from the mass of debts now considered hopeless, and from the arrears of interest on the whole mass of suspended debt, now amounting to \$1,433,761 34.

2d. *The Real Estate.*—

The total amount of Real Estate received in payment of debts up to August 30th, 1822, was	\$587,192 38
It has since received in like manner,	2,942,828 23
And sold what had cost	1,038,037 62
	1,904,790 61

Making the present amount

This amount is the price at which the Real Estate has been taken, and experience warrants the expectation, that it will be sold for more than its cost.

The general result of the condition of the Bank is,

That the whole of the bonus of \$1,500,000 paid for the Charter, and the premium of \$205,880 given for the five per cent. Stock, purchased in 1821 from the Government is now extinguished.

That the fund to meet losses exceeds by \$369,000, the estimate of those losses.

That there is a surplus fund of profits amounting to \$1,750,000, being five per cent on the Capital.

And that with these provisions against casualty, its profits, after defraying its expenses and making an annual reservation of \$120,000 to extinguish the cost of the Banking Houses, yield a dividend of seven per cent. a year.

But gratifying as the prosperity of the Bank may be to the stockholders, it is an object of more general concern as being the result of measures in the success of which the community has a deep and permanent interest. The importance of these will justify a few words of explanation in regard to them.

The Bank of the United States was established for the purpose of restoring specie payments, which had for a long time been suspended throughout a great part of the country,—of furnishing a sound circulating medium, and of giving more uniformity to the exchanges between distant sections of the Union. By importing more than seven millions of specie, and by a free issue of notes immediately after its establishment, the Bank with great sacrifices succeeded for a time in attaining these objects; but it seems to have been afterwards considered that its powers were exhausted by the effort, and that the continuance of it would be entirely impracticable. The essential difficulty was presumed to lie in the provision of the charter, making the notes universally receivable for debts to the Government, which by obliging the Bank to provide payment for the same note at various places, would require it to retain a greater amount of specie than it could issue of notes; thus diminishing rather than increasing the sound circulation. The consequence was, that the Bank issued its

own notes sparingly; more especially in the southern and western States, where it often preferred the re-issue of the notes of the State Banks; being unwilling to issue freely its notes which it might be compelled to pay at some one of many places remote from the point of issuing them. However imperious the necessity which enforced this system, it was apparent that its continuance would tend to defeat the object of establishing the Bank, since by declining the issue of its notes it could not furnish the circulating medium expected from it; and by re-issuing the notes of State Banks, it surrendered its most efficient means of control over the currency. Its whole circulation on the 1st of January 1823, was only \$4,559,000.

Having in compliance with the directions of the Stockholders in 1822, applied without success to Congress for a modification of this disabling provision in the charter, it became necessary for the Board of Directors to re-examine the constitution of the Bank, in order to discover whether there was really any organic defect which prevented it from performing the functions to which it was destined; or whether some different combination of its powers might not overcome its difficulties.

The experiment was interesting and hazardous. It was to try how far the institution could succeed in doing that which had never yet succeeded elsewhere, in diffusing over so wide a surface of country a currency of large amount and of uniform value at all places and under all circumstances; and also whether it could bring down to its extreme limit the necessary expense of commercial intercourse between distant sections of country, whose exchangeable productions were of such various and unequal values.

To accomplish these two objects two things seemed necessary.

1st. To make all the local currencies equivalent to specie at the place of their emission. This by rendering them competent for local purposes, would require a less amount of general currency, and at the same time tend to reduce the exchanges between distant places to the real commercial expense of transferring equal values of coin.

2d. To make the Bank itself the great channel of those commercial exchanges.

If the Bank is bound to transfer the whole public revenue throughout the Union, and to furnish a currency payable in various and distant places, it must obviously provide funds in those places, and these can of course be obtained only by purchasing bills of exchange payable at the points to which the course of trade naturally directs the notes. These bills, having reached their maturity, await the coming of that portion of the notes, which having performed for a time the functions of a circulating medium, are carried by the demand for duties out of the immediate sphere of their issue. The greater proportion of its funds, therefore, which the Bank can employ in these operations, the more readily can it sustain the notes issued in the course of them. It is indeed thus, and thus alone, that a circle of sound banking operations founded on sound commercial operations contains within itself the means of its own defence at home, and of providing for its notes which the demand for duties may carry to a distance. These operations too are fortunately of the highest benefit to the community: They give the most direct encouragement to industry, by facilitating the purchase and interchange of all its products, they bring the producers and consumers into more immediate contact by diminishing the obstacles which separate them, and they especially adapt the Bank to the wants and interests of each section of the Union, by making it alternately a large purchaser among the sellers of bills, and a large seller among the purchasers.

A participation also in the foreign exchanges forms an essential part of the system, not merely as auxiliary to the transfer of funds by which the circulating medi-

um is accompanied and protected, but as the best defence of that currency from external influences. It is the peculiarity of our monied system, that in many parts of the country the precious metals are excluded from the minor channels of circulation by a small paper currency, in consequence of which the greater portion of these metals is accumulated in masses at the points of most convenient exportation.—Now with a widely diffused metallic currency, the occasional demands for exportation are more gradually felt, the portion exported bearing a small relation to the whole, occasions less inconvenience, and the excesses of exportation can be more readily corrected without injury. But when the great mass of the precious metals of the community lie thus accessible in the Banks of the Atlantic cities, liable to be immediately demanded on notes previously issued in the confidence of a continuance of the same state of things which caused the abundant issue of them; at the first turn in the tide of the foreign exchanges, when the supply of foreign exchange, is unequal to the daily demand, the vaults of the Banks may be exhausted before any precautions can prevent it. These very precautions too, consisting as they do almost exclusively of curtailments in their loans, made suddenly—mostly without concert, and always under the influence of anxiety if not alarm, may fall with oppressive weight on the community, by the pressure on which alone can be produced the necessary reaction. This reaction moreover is necessarily slow, since our distance from Europe makes it less easy to restore the equilibrium than between adjoining countries in the same hemisphere. As this defect in our monied system, depends on the legislature, the Bank has no power to remove it, and can only strive to guard against its dangers. Its tendency is to produce abrupt transitions, and violent shocks injurious to private credit, and which might prove subversive of the currency. It belongs then to the conservative power over the circulating medium which devolves on the Bank, not to be a passive observer of these movements, but to take an ample share in all that concerns the foreign exchanges. It may thus foresee, and either avert or diminish an approaching danger—it can thus break the force of a sudden shock, and supplying from its own accumulations or its own credits in Europe the more pressing demands, enable the State institutions to provide for their own safety, and thus produce the necessary alteration in the state of the exchanges with the least possible pressure upon the Banks or the community.

In addition to the ordinary causes of fluctuation in the metallic currency, there was another of great importance in the character of the trade to China and India, which, requiring annually many millions of the precious metals, very frequently caused abrupt and inconvenient changes in the amount of the currency and of private credit, by forcing the State Banks to sudden curtailments as an act of necessary self-defence. To abate the pressure of this demand, the Bank offered as a substitute for the shipments of coin, to supply its own bills on Europe, which in the India and China markets were often more valuable than the coin itself. This experiment proved successful, alike to the merchants and to the community, who were thus less incommoded by sudden diminutions of the currency. Owing to the operation of general causes, that trade has within a few years greatly declined,—but should it revive, the bills of the Bank will doubtless constitute a considerable portion of the remittances from this country. Even in its present comparatively inactive state, the amount of bills furnished by the Bank within the past year for the trade of India, China and South America, amounts to \$883,500.

By this combination of the soundness of the local currencies, and a thorough identification of the Bank with the real business and exchanges of the country, it was hoped to accomplish the purposes for which it was established. With this view it began by giving to its

whole funds an active and business character, for which purpose all the stock of the Bank which had been forfeited was sold and the proceeds applied to the commercial operations of the country. The Bank and the Branches then issued freely and exclusively their own notes, taking care to protect and provide for them by the discount of bills of exchange—and they received freely the notes of the solvent State Banks, with whom periodical and convenient but certain settlements of accounts were made.

This system has now been in operation for several years. It was at first experimental and of doubtful issue, and as the consequences were equally important to the Bank, and the community, its progress has been watched with deep solicitude. Its success therefore has been seen with proportionate satisfaction. Time and experience have now demonstrated that the bank has been able to accomplish all the purposes for which it was created, to rectify the disorders of the currency, to sustain a large and sound circulation, and to reduce the commercial exchanges within the most economical limits, and this by means in themselves highly advantageous to the community, not in any degree injurious to the State institutions, and at the same time profitable to the Bank itself. The evidences of this can be best observed by comparing the past and present situation of the currency, the exchanges, the country and the Bank.

1. Before the establishment of the Bank, the circulating medium of the middle, western and southern States consisted exclusively of an inconvertible paper money; every part of that country suffered under the most oppressive of all taxes on industry, a depreciated currency; the commercial exchanges between different States and even different neighbourhoods, were burdened with the fluctuations of their respective representatives of money, while the Government itself, unable to make its funds, received in one section available for its expenditures in another, was embarrassed in the midst of its nominal excesses of revenue. These disorders are now remedied. The local currencies generally are equivalent to specie within their respective spheres of circulation, and a large mass of general currency is superadded for general circulation. That this effect was produced directly by the operations of the Bank requires no demonstration. The extent of its contribution to the general currency, will be seen in the facts:

1st, That since January 1, 1823, it has furnished to the Mint to be converted into American coin, bullion to the amount of - - - \$12,046,415 35

2d, That the gross circulation of the Bank on the 1st of January, 1823 was - - - \$4,589,446 90  
And on the 1st of August, 1831, - - - 22,399,477 52  
Making an increase of - - - 17,810,000 62

From both periods a deduction is to be made of the notes in their passage between the bank and the branches.—The total amount known to be in actual circulation on the 1st of August, was \$19,377,910.

This circulation is in all respects equal, and in most respects superior, in value to any metallic currency of the same amount. Indeed there is not now, and probably never has been, in any other extensive country, a paper currency comparable to this for the union of all the qualities of a good circulating medium—perfect security—easy convertibility into the metals—and general uniformity of value.

The notes of the Bank, moreover, not only afford a sound currency themselves, but they sustain and purify the much larger mass of circulating medium into which they are infused. By receiving freely the notes of the State Banks within convenient reach of the Bank and its Branches, and by frequent settlements with them, these institutions are kept in the habitual presence of an accountability, which naturally induces them so to apportion their issues to their means, as to secure the soundness of their currency. Of the manner in which they have executed this extremely delicate part of their

duty, which connects them with the State institutions, it is not for the Board of Directors to speak. But they bear a willing testimony in favor of the uprightness and intelligence which generally characterize the administration of those institutions, and the support which they have always yielded to any measures calculated to maintain the soundness of the currency.

On the few occasions where it has become necessary to insist on the performance of their obligations, from which either a want of judgment or the pressure of urgent necessity had induced them to depart, the Bank has endeavored to perform its own duty with all the forbearance consistent with the thorough execution of it, and those institutions themselves, have generally found in the increased credit arising from fidelity to their engagements, a full compensation for all the temporary inconvenience which that fidelity required. It is indeed confidently believed that the solvent State institutions, recognize in the Bank its true character, as a common friend, not a jealous competitor; and that the good feelings uniformly entertained for them by the bank, are reciprocated. They know that the duties of its position make it only a more prominent agent in preserving the soundness of the currency, on which their own stability and prosperity equally depend; and that if its competition sometimes appears to prevent more abundant profits, they find an indemnity in the general security of property which its operations are designed to protect. Undoubtedly these operations have been so far beneficial to them, that if its own notes are equivalent to specie, it has contributed to make those of the State institutions equally valuable within their respective spheres, and that many of these institutions earn larger profits than the Bank itself.

2d. The reduction in the exchanges effected by the Bank from the extravagant charges on internal trade

to the present moderate limits need not now be particularized. A single fact will be sufficient to illustrate it. Before the Bank was organized the differences of exchange in favour of or against Philadelphia, in its relation with the other commercial cities was as follows.

With Boston, 17 per cent.—with New York, 9½ per cent.—with Baltimore 4½ per cent.—with Washington 7 per cent.—with Charleston, 6½ per cent.

At present these exchanges are generally, either at par or at the utmost, one half of one per cent.

This has naturally followed the rectification of the currency. As long as the general circulation of the United States consists of specie or its equivalents, the rates of exchange between any two places in it can never much, nor permanently vary from the expense of their transportation from one place to another; and a reduction to nearly that rate was the inevitable consequence of the resumption of specie payments. The Bank has, however, been able to do more than this. The large mass of its operations in exchanges, by giving to it funds in various parts of the Union which the course of its own business, as well as that of the Government, requires to be transferred, furnishes it with the means of transferring at the same time the property of individuals at a very reduced expense. Accordingly funds are transferred to the remotest points of the Union, sometimes at no expense whatever, and always with charges so moderate, as to afford facilities of interior communication, probably not equalled by those of any other country.

The following table exhibits the amount of domestic and foreign exchange purchased at the Bank, and the several Branches, the amount of the drafts furnished by them on each other respectively, and the amount of transfers made on account of the Government, during the year ending on the 1st of July last.

*Statement exhibiting the Exchange operations of the Bank of the United States and Offices, for the year ending June 30, 1831.*

	Bills purchased.	Drafts Drawn.	Transfers directed by the U. States from the bank and Offices.	TOTALS.
Foreign.....	3,481,963 75	8,699,744 16		
Domestic.....	4,122,594 79	5,110,570 22		
Bank United States.....	7,604,358 51	13,810,314 38	650,000 00	22,064,672 92
Office Portland.....	136,746 89	194,275 04	200,000 00	531,021 93
Portsmouth.....	47,718 38	77,431 50	15,000 00	140,144 88
Boston.....	1,499,531 18	1,077,297 33	1,575,000 00	4,151,828 51
Providence.....	966,590 76	745,063 16		1,711,653 92
Hartford.....	114,360 44	325,685 97		440,046 41
New York.....	3,790,432 10	1,512,347 41	8,175,000 00	13,477,779 51
Baltimore.....	963,298 09	2,006,200 48	580,000 00	3,549,498 57
Washington.....	723,725 41	3,503,391 35		4,226,116 76
Richmond.....	1,514,295 35	343,595 72		1,857,891 07
Norfolk.....	706,017 58	1,368,380 00		2,074,397 58
Fayetteville.....	929,453 10	572,517 06		1,501,970 16
Charleston.....	1,960,488 48	1,637,684 12	85,000 00	3,683,172 60
Savannah.....	2,099,844 29	770,210 49	75,000 00	2,945,054 78
Mobile.....	1,599,022 90	2,615,265 13		4,214,288 03
New Orleans.....	9,363,195 66	2,825,187 18	825,000 00	13,013,382 84
Natchez.....	424,108 57	363,444 71	20,000 00	807,553 28
St. Louis.....	244,334 24	562,993 00	150,000 00	957,327 24
Nashville.....	2,693,852 75	1,091,667 19		3,785,519 94
Louisville.....	1,924,571 49	1,291,355 05	100,000 00	3,315,926 54
Lexington.....	1,495,631 61	1,493,810 45	10,000 00	2,999,442 06
Cincinnati.....	1,212,729 71	1,102,964 67		2,315,694 38
Pittsburgh.....	989,834 33	1,077,028 10		2,066,862 43
Buffalo.....	714,218 17	1,558,202 26		2,272,420 43
Utica.....	118,041 25	133,778 29		251,819 54
Burlington.....	218,123 85	63,071 19		281,195 04
	44,053,520 10	42,123,161 25	12,460,000 00	98,636,681 35



From this it will appear, that the purchases of bills of exchange, amount to more than forty four millions, the drafts issued by the Bank and the Branches on each other exceed forty-two millions; and the transfers on account of the Government were upwards of twelve millions. If to these be added the amount of bills not purchased in the first instance by the Bank but collected through its agency, the aggregate will represent an actual movement in the business of the Union, much exceeding one hundred millions of dollars. This has been conducted at a very moderate expense, and with a facility which has caused so large a displacement of funds, to be almost imperceptible in any of the interests of the community. More experience and a greater mass of operations may enable the Bank to reduce still further, even these slight charges; but should it be able only to retain them at their present rates, it will have accomplished all that is necessary or perhaps desirable.

3d. The influence of these measures on the country has been in every stage of them eminently salutary.—The substitution of a sound currency for a depreciated and irresponsible circulation, which was hastening to involve in confusion, all public and private interests, is of itself an advantage, which can scarcely be over-estimated, conferring as it does, stability on property, and security on all the rewards of industry; while the interior commerce of the whole Union is relieved from the oppressions of a multifarious and fluctuating paper money, requiring at each step some new sacrifice which, however, disguised, fell ultimately as a charge on the productive industry of the country. The means, moreover, by which these objects have been attained, the restraint on the over issues of other institutions—the extensive operations in domestic and foreign exchange—the bringing of the institution into immediate contact and sympathy with the real business of all parts of the country, are in themselves direct and positive benefits to the community. They form too the natural occupation of a *Bank of the United States*, which divested of all local influences and interests, finds its appropriate sphere in facilitating the commerce of the States with each other and with foreign nations. Accordingly, it may be assumed with safety, that there has never been in the history of this country, any period when its monied concerns were more steady and equal—its interior trade transacted with more economy and convenience, and the necessary fluctuations incident to its foreign commerce less sensibly felt, than during the last eight years. This term is sufficiently long and various to test the efficacy of the system. It embraced a period, when, in addition to its habitual causes of fluctuation the monied system was disturbed by the reimbursement of many millions of the public debt, a great portion of which was to be remitted to Europe, and more especially it included the year 1825, one of the most critical in our own history, and probably the most disastrous to the banking system of England.

4th. Having explained the effects of this system on the currency, the exchanges, the state banks, and the community, it remains to show that these purposes have been accomplished without any sacrifice of the interests of the Stockholders, but that the bank itself has shared in the benefits it communicates. This will be perceived by contrasting the present state of the institution, with its condition at the triennial meeting of 1822. Its situation at these respective periods was as follows:

*State of the Bank August 30, 1822.*

Capital paid in, . . . . .	34,992,139 63
The Circulation, . . . . .	5,456,891 90
Deposits.—Public, . . . . .	3,559,792 96
Private, . . . . .	3,216,699 78
	<hr/> 6,776,492 74
Due to sundry offices and banks, and to individuals in Europe, . . . . .	1,964,898 36
Unclaimed dividends, . . . . .	129,741 28
Contingent Fund to meet losses, . . . . .	3,743,899 00
Discount, exchange, & interest, since July, 388,237 01	

Profit and loss, . . . . .	51,897 07
	<hr/> \$53,504,196 99

**DISTRIBUTION.**

Funded debt, . . . . .	13,020,469 27
Loans, viz:—	
Personal security, 22,072,405 46	
Funded debt, . . . . .	67,928 13
Domestic Bills, . . . . .	2,713,760 30
Debt of Smith & B. . . . .	1,357,457 23
Foreign Bills, . . . . .	24,599 76
Bank Stock, . . . . .	5,974,725 80
Mortgages, . . . . .	8,000 00
	<hr/> 32,218,876 68
Due by banks, &c. . . . .	1,650,869 73
Real estate, . . . . .	587,102 38
Bonus, premium, &c. . . . .	1,180,880 00
Banking houses, . . . . .	834,922 15
Notes of state banks, . . . . .	664,642 56
Specie, . . . . .	3,346,434 22
	<hr/> \$53,504,196 99

*State of the Bank August 1st, 1831.*

Capital paid in, . . . . .	35,000,000 00
The circulation, . . . . .	22,399,447 52
Deposits.—Public, . . . . .	7,252,249 42
Private, . . . . .	9,115,836 47
	<hr/> 16,368,085 89
Due to individuals in Europe, . . . . .	168,372 72
Unclaimed dividends, . . . . .	251,766 03
Contingent fund to meet losses, . . . . .	5,613,173 15
Discount, exchange and interest (including foreign exchange,) . . . . .	614,685 07
Profit and loss, . . . . .	1,750,048 51
	<hr/> \$82,165,578 89

**DISTRIBUTION.**

Funded debt, . . . . .	3,497,681 06
Loans.—	
Personal security, 41,585,298 79	
Funded debt, . . . . .	19,700 00
Domestic bills, . . . . .	14,409,479 72
Foreign do. . . . .	121,214 60
Bank stock, . . . . .	779,158 07
Mortgages, . . . . .	140,506 63
Bills chargeable to con- tingent fund, . . . . .	3,452,976 15
	<hr/> 60,509,083 88
Real estate, . . . . .	2,491,892 99
Due from sundry offices and banks, . . . . .	621,523 08
Expenses, &c. . . . .	259,383 50
Banking houses, . . . . .	1,160,455 54
Notes of state banks, . . . . .	2,080,403 33
Specie, . . . . .	11,545,116 51
	<hr/> \$82,165,578 89

The analysis of these statements will present the following differences in the situation of the bank at these respective periods:

1st. In regard to the comparative activity of its business:

In August 1822. of the whole amount of loans amounting to	\$32,218,876 68
There was suspended	10,226,306 56
	<hr/> Leaving as active, \$21,992,570 12
In August, 1831, of the same class of loans amounting to	\$56,793,583 49
There was suspended	3,635,750 84
	<hr/> Leaving as active, \$53,160,235 55
In August, 1822, of the loans of	32,218,876 68

There were on bank stock,	5,974,725 80
In August, 1831, out of the loans of	\$56,793,936 49
There were on bank stock,	779,458 07

In regard to the exchanges:	
The amount of domestic bills purchased, in 1822, was	7,475,640 00
That purchased within the year ending July 1st, 1831, was	40,571,556 35

2d. In regard to its resources and investments, there will be seen,

1st. That the bonus and premium on the loan of 1821 amounting then to \$1,180,880, has been extinguished.

2d. That there is an increase of the contingent fund to repair losses of \$1,869,274 15 making that fund exceed by \$309,000, the loss it is to cover.

3d. An increase of the surplus fund, of	\$1,698,102 93
4th. An increase of the capital, of	7,860 37
5th. An increase of the circulation of	16,942,555 62
6th. An increase of the deposits, of	9,591,493 15
7th. An increase of the investments as follows:	
Loans,	\$28,290,207 20
Real estate,	1,904,796 61
In banking houses,	325,533 39
In state bank and other debts.	3,052,579 34
In specie	8,198,682 29

And a decrease of the funded debt, of	\$41,771,792 83
	9,522,788 21

Making the actual increase	\$32,249,004 62
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The third and last consideration is the comparative productiveness of the operations of the Bank at these periods:

The nett profits of the year ending July 1822, were	\$1,469,444 91
The nett profits of the year ending July 1831, were,	2,935,021, 19
Making an increase of	1,465,576 28

This state of things is calculated to justify the expectation, that a continuance of the same prosperity will at length indemnify the Stockholders for the privations of profit to which they have been so long subjected.—Hitherto their compensation has been comparatively inadequate. Owing to the large expenses incident to the establishment of the bank, and to the great losses growing out of its early misfortunes, the whole amount of dividend, from January 1817, to July 1831, a period of fourteen years and a half, has been only \$72.85, or a small fraction beyond five per cent. a year, on the original subscriptions of one hundred dollars. The dividend during the last three years and a half, has amounted to 7 per cent a year; and it would require a continuance of the same dividend for eleven years and a half more to make the annual dividend, from the establishment of the bank, equal to 6 per cent a year.

If, however, the stockholders have been less benefited by their investment than was anticipated, they may derive consolation for their diminished profits, in the general prosperity of the country at large, to which the operations of the bank have contributed.

It is, indeed, the main design of presenting these details, to show the practicability of continuing these advantages without a sacrifice of the personal interests of the stockholders. The experiment, for such it undoubtedly was, of sustaining a large and sound and uniform currency, and of reducing the exchanges of the country to the most economical limits, has been fairly and fully made upon systematic principles. It has now for many years succeeded, and it may be presumed that the same efforts will continue to produce similar results.

But in any event, the Board of Directors have the satisfaction of knowing that their exertions have thus far rendered the bank not unproductive of benefit to the country; and that if any unforseen causes should hereafter prevent or diminish the beneficial operations of the institution, it shall not fail from any want of zealous devotion to the great interests which they have been appointed to administer.

By order of the Board,  
N. BIDDLE, Pres't.

### MEDICAL FIGHT.

As a matter of curiosity we copy the following correspondence. It is probably the first attempt to settle medical questions in this mode which has occurred in our state or perhaps the United States; although we recollect two or three instances in which it has been resorted to on theological points. "Who shall decide when Doctors disagree!"

From the Brownsville Intelligencer.

A very interesting debate, on the principles of medicine, took place on Saturday evening last, after the Lecture of Doctor Steele, between this gentleman and Dr. David Porter. By the following correspondence it will be seen that the discussion is to be renewed on Saturday next, at 2 o'clock P. M. in the Town-Hall. From the importance of the subject to be discussed, and the acknowledged abilities of the combatants, they will no doubt be favored with a very large and respectable auditory.

BROWNSVILLE, August 16 1831.

To David Porter M. D.—

Sir:—A majority of the people with whom I have conversed, since my return home appear anxious to have the two systems of medicine. viz:—the Old and the Botanical, more critically examined and explained. I, therefore, have no objections to meeting you at the Town Hall, or any other place, within twenty days—then and there, to discuss the merits or demerits of our respective systems.

Yours with respect and esteem,

J. J. STEELE.

August 18th, 1831.

Dr. J. J. Steele:—I will meet you on Monday evening next, at early candle light, in the Town Hall, to discuss our former subject. In the meantime, if you would favor me with an outline of your system, or at least its principal points of superiority to the old system, you would much oblige.

Yours, &c.

DAVID PORTER.

BROWNSVILLE, Aug. 18, 1831

Dr. David Porter:—It will be impossible for me to meet you on Monday evening as I expect to visit Washington about that time—I would prefer the following Saturday, at 2 o'clock, instead of early candle light.

To favor you with the 'principal points' of superiority, or even an outline of the Reformed System, is not easily done in a short note. You must already know the ground which the debate will occupy.—And, in addition—I have no objections to opening the discussion. Hoping you will change the time of meeting to suit my circumstances,

I remain yours,

J. J. STEELE.

August 19th, 1831.

Dr. Steele:—Nothing at this time occurs to prevent meeting on Saturday 27th inst. at two o'clock. I, therefore, engage to meet you at that time in the Town Hall.

Yours, DAVID PORTER.

## PHENOMENON.

There have been several notices in the late papers of unusual appearances in the sun and moon. A gentleman who recently travelled up the Susquehanna, has given us this communication:—

That on Thursday afternoon (the 4th Aug.) at about 5 o'clock, the sun assumed a *violet* hue. There was a thin cloud overspreading the sky at the time, through which the sun shone, but with a lustre so diminished, that it was not the least painful to gaze upon its disk with the naked eye. My attention was first attracted by the reflection of the sun in the river as I rode along the bank. I pointed it out to others, who were equally struck with the phenomenon; and it was observed throughout a considerable extent of country, as I learned by conversing with other travellers. Violet, it is known, is one of the seven original colours, into which each ray of solar light is divisible; and it is the least re-frangible of the whole number. The interposing cloud may have been of that tensity, which was sufficient to break, divide and turn the sun's rays as they were transmitted through it, precisely to the extent which was sufficient to exhibit the violet colour to the eye of the observer.

The ruddy aspect of the sun, in the morning and near sunset, is quite usual and is to be accounted for in a similar manner.—*Lancaster Miscellany.*

*Anthracite coal used in burning brick.*—At the Brick kiln of *Wm. Everhart, Esq.* in this Borough, an experiment has recently been made of using Anthracite coal, in aid of wood, in burning brick. At right angles with the flues, and about four feet above the top of the arches, holes 4 inches square and one foot apart, were let running from the back side of the kiln to the front. In these there were laid pieces of Anthracite weighing from half a pound to a pound each, and the whole put in the kiln was one ton. Ordinarily they burn about 80,000. At the time of making the experiment 10,000 were added, making 90,000. The experiment was highly satisfactory. Mr. Miller, the superintendent, mentioned to me that he tried it reluctantly, having little faith that coal, so disposed, could do any good; but as Mr. Everhart desired, he determined to try it. He, was agreeably disappointed; the effect was greater than he could have imagined. The Brick he said was better burnt than in the ordinary way. There was a saving of wood fully equal to the cost of coal used, and ten thousand additional brick were burnt. Thus, every month, some new proof is produced of the value of this exclusively Pennsylvania mineral.—*Village Record.*

## OUR RAIL ROAD.

We had the pleasure of a trip, *not on*, but along the whole line of the Rail Road, on Wednesday last; and we were not a little surprised to find the different sections so far under way. It really appears to us, almost impossible, that so great a proportion of work, could have been performed in so short a period, even with the numerous hands now employed. Immense excavations as well as embankments have already been made, and the work upon the whole line with very trifling exceptions, which is let under contract, presented a scene of activity and bustle, altogether novel to us.—We were informed by those who have contracts, that there was not the remotest doubt, but that the first five miles of the road would be completed by the 1st of December ensuing. The grading, as was further stated, would be completed in probably five weeks from that time—which would take it to nearly the middle of October: there would remain then, say seven weeks, to lay the rails, &c.—*Germantown Telegraph.*

*STEAM BOAT BUILDING.*—MESSRS. Ephraim and Samuel Frisbee have recently erected a yard for building steam boats, at the point of confluence of the Allegheny

and Monongahela rivers. This yard occupies precisely the site of the old French Fort Du Quesne. On Saturday last the first boat was launched from it. She is of 250 tons burden, owned by Messrs. Allen, Grant and Stone, and her name *happens* to be the *Napoleon*.—*Pitt. Gazette.*

The last number of the Downingtown (Pa.) Democrat is issued in a half sheet, in consequence of the sickness of most of the members of the establishment. —The editor remarks—"At no period, it is said, for the last 7 years, has so much sickness been known in our village—almost every family has one or two, and in some instances 4 and 5 of its members confined to their beds, of patching, burning fever—as yet, but few deaths have occurred, though there are many severe cases.—The sickness appears to be chiefly confined to this neighborhood.—*Phila. Gazette.*

*DIED.*—In York county, Pennsylvania, at the residence of her son, N. J. Fulton, Mrs. FULTON, aged about 100 years.

This aged matron was born in Montgomery county. After her marriage, she lived some time in Philadelphia, where her husband was extensively engaged in mercantile affairs, from thence she and her husband retired to York county, where she died.

## THE REGISTER.

SEPTEMBER 17, 1831.

*BANK OF THE UNITED STATES.*—In the present number will be found the able and very interesting report of the Directors of the Bank of the United States to the Stockholders. Such an exposition, we should suppose, ought to satisfy every reasonable mind, of the immense importance of this institution to the country, the government and indeed every individual of the community—and that its destruction would be attended with the most ruinous consequences.

The report of the stockholders approving of the management of the institution, by the Directors; was published in our last number; page 163.

*Fruitful Settlers.*—In one vessel lately arrived at this port from Havre, came 26 German or Swiss families—consisting of the parents, and 103 children of various ages—of whom 28, or 14 pairs, are TWINS; and of these Twins, six pairs are the production of *three* families.—The following are their ages:—1 pair 4 years—1 pair 10 years, (same family)—1 pair 2½—1 pair 4½, (another family,)—1 pair 1 year—1 pair 4 years, (3d family,)—1st pair, 1 male, 1 female—2d pair, both females—3d pair, both males—4th, 1 male 1 female—5th and 6th pairs, all females. Of the 14 pairs, 5 pairs were all male—5 pairs were female, and 4 pairs were male and female.

Three other vessels from the same place had each *two* pairs, and one other vessel *four* pairs on board.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 13. PHILADELPHIA, SEPT. 24, 1831. NO. 195

## BANK OF THE UNITED STATES.

*Highly interesting Correspondence between Silas E. Burrows, Esq. and the late ex-President Monroe.*

Letter from Mr. Burrows.

NEW YORK, Jan. 7th, 1831.

*My Dear Sir:*—Believing myself in your estimation one of those friends whose motives and conduct since I had the honor of first becoming acquainted with you, cannot be mistaken, I take the liberty of trespassing on your goodness to obtain information which cannot be as satisfactorily received from any other source.

I am sensible our country will be happy in hearing those opinions which emanate from the revolutionary Patriot who shed his blood on the battle field, and who presided for eight years over the destinies of our country, during which period every blessing was possessed by our happy land. Will you be so kind as to give me your sentiments relative to the effect of the U. S. Bank on our national currency, and what your opinion is in relation to the renewal of its charter? The situation in which the Government was placed without its aid during the last war? its general advantages in regulating exchange, facilitating the remittances of Government and individuals from various parts of the Union, and generally its importance connected with the best interests of our country?

I am, &c.

SILAS E. BURROWS,

Col. JAMES MONROE,

Late President of the U. S.

Letter from Mr. Monroe,

NEW YORK, January 20th, 1831.

*Dear Sir:*—The confidence I have in your rectitude and patriotism, will induce me to give an explicit answer to the general interrogatories contained in your letter of the 7th, though I fear that my continued weak state of health will make it less satisfactory than it otherwise might be, especially as I have none of the official documents with me which are calculated to illustrate the subject.

You ask me what is my opinion of the effect which the United State Bank has on the national currency and as to the policy of renewing its charter? what the situation of the Government without its aid during the last war?—what its general advantages in regulating exchange, in facilitating remittances to individuals, and its general importance?

When the old United States Bank was first instituted, I was one of those who voted against it in the Senate. I doubted the power of the Government under the Constitution to make such an establishment, and was fearful that the influence which it would give to the Government over the monied concerns of the Union, would have a very improper effect on our free system. The Bank was instituted soon after the Government was adopted, and at a period when the question of the relative powers of the two Governments excited great feeling, and divided the Congress and the Union into very jealous and violent parties. I was of that party which construed the powers of the National Government strictly, and sought to impose on it correspondent restraints. So far as any change has since taken place in

my opinion, it has been the result of experience, and prompted by a belief that such change would give strength to the system, and not weaken or endanger it.

Between such a Bank, and any arrangement which the Government can make, the alternative must be between a Bank of the Government itself, and under its exclusive control, a reliance on its own resources and surplus funds, deposited in a manner to produce the best effect, and a dependence on the Banks of the several States. I have no hesitation in declaring it as my decided opinion that neither of these could accomplish the great objects contemplated, and that each of them is liable in other respects to the most serious objections. To a bank of the Government, this remark is applicable in both views, and with peculiar force in the latter. If confined to the metropolis, it could not extend its discounts beyond a very limited circle, nor its agency as a deposit for the revenue received in the several States—nor for remittances to individuals—and for other objects it would be equally limited. Such an institution requires an active supervision by those for whose benefit it is intended. The regular official duties of all the Departments in the Executive render it impossible for that Branch to perform that service without an interference with those duties to the injury of the public. If branches should be established, their position might enable them to remedy some of the defects stated, but they would accumulate others of much greater force. The interference with the constitutional and regular duties of the Executive would, in the same degree, be increased. But that is comparatively a slight evil. A Bank thus instituted being under the control of the Executive, by the appointment of its Directors, and in all its operations, might in the hands of a bad administration, be wielded as an instrument to sap the foundation of the Government itself. Appeals would be made to the Government from every part of the Union, for its influence in obtaining discounts, and thus a seduction might be practised to a great extent for the worst purposes.—The influence would be reciprocal. Those connected by such a tie with the Government would be looked to for support at elections, who would not fail to render it. Thus the revenue of the nation, raised by taxes on the proper object, to support their free Government, might be made an instrument to its overthrow.

The second alternative suggested, a reliance on the surplus funds, for the accomplishment of the objects contemplated, it must be obvious, must fail in every instance. The revenue of the Government is generally limited to certain specified objects, according to an estimate for each, and to which it is appropriated. The funds raised, sometimes falls short of the object. It seldom exceeds it in any considerable amount. For the want of a surplus it must be idle in the Treasury until appropriated, and if appropriated as a provision for an emergency, for war for example, it must still lie idle in the Treasury, until that event occurs, or be loaned out. It could not lie idle. The whole nation would revolt against it, and if loaned out, it might be impossible to obtain it when called for, and might even be lost. In this mode, the regulation of the value of the currency of exchange, and of rendering service, by facilitating remittances, would be abortive. The third alternative which has been suggested, a reliance on the State Banks, would be equally unproductive. The Govern-



ment would require no aid except in time of war when immense sums would be necessary, which could be procured only by loans, and when application should be made to them, there is good cause to apprehend that each would endeavour to obtain the best terms it could. There is no particular bond between them and the National Government, and, impelled by their interests and that of the Stockholders, it is natural that they should pursue that course. Should such an emergency arise as menaced the overthrow of the Government, the interest thereby excited might be paramount, and force the Banks, under the direction of the Stockholders, to unite in a common effort to save the country. But the great object is to prevent such a crisis by a command of funds, which would enable the Government to arrest it. In every other object the State Banks would fail. There being no standard to which all must adhere, no connection between those of the different States, and many of them with limited funds, and in embarrassed circumstances, they would neither regulate the value of coin, of exchange nor facilitate remittances.

A National Bank occupies different ground. Connected with the Government by its charter, and its capital, which consists of stock, in which the Government participates in a certain degree, there is no instance in which, on principle, there can be a difference of interest between them, and many powerful considerations by which the interest of the Bank must stimulate it, to support the credit of the Government in any situation in which it may be placed. If the credit of the stock should sink, the capital of the Bank would decline in equal degree; the effect of which would be felt in all its operations. Its paper would depreciate, and a check be given to its circulation, if not an entire suspension. Standing at the head of the monied operations of the Government, it is its intermediate agent in making remittances to Banks and individuals throughout the Union, and likewise between individuals, from which much credit and influence are gained, if not profit. It has the means, and may be considered as the most powerful agent in raising and sustaining the circulating medium on a par with specie throughout the Union, and of elevating the State Banks to that standard, by subjecting them to the necessity of reaching and adhering to it, to sustain their credit, and even their existence. Let the credit of the Government sink, and all these advantages are lost. The Bank, therefore, from a regard to interest, is bound to sustain it. The Directors, except the few appointed by the Government, are elected by the stockholders, and are amenable to them. It gives its support therefore, to the Government, on principles of national policy, in the support of which it is interested, and would disdain becoming an instrument for any other purpose.

The view above presented is supported by experience, and particularly by the events of the late war.—When the war commenced, the government had not the funds which were necessary to support it, and was in consequence forced to resort to loans, which were with difficulty obtained from any quarter, even in a limited degree, and on unfavorable terms. I have not the official documents before me, and cannot state the sources from which any loans were obtained, nor the conditions, with the decline of the public credit as the war advanced. I well remember, however, that when I was called by the President to the Department of War, on the 31st of August, 1814, the Certificates of the Treasury were selling at \$80 in the \$100, by which \$20 were lost. It was evident that if a reliance was placed on the sale of Certificates only, that a still further decline would ensue, and that the worst consequences might be apprehended. The country was invaded through the whole land and maritime frontiers, and powerful squadrons were at the mouth of every bay and river leading to our principal cities, which were threatened with attack and ruin. The metropolis of our Union had been forced, and its public buildings destroyed. Such was

the state of the country, and the funds, when I entered the Department of War.

Under such circumstances, an appeal was made to the patriotism and interest of the cities, and banks with them, by the Department of War, with the sanction of the President, for loans of money necessary for their own defence, for that of the maritime frontier, and the Union. For the first loan that was obtained, one million of dollars from the city of New York, which took place a few days after I entered the Department, no price was fixed. As the Treasury Notes were selling for \$80 in the \$100, that was claimed, but not acceded to. It was left for subsequent adjustment, to be settled on fair principles. Several millions of dollars were obtained from the District of Columbia and principal cities throughout the Union, and, according to my recollection, at par. This proves that until the Union is threatened with ruin, no loans can be obtained in emergencies, without a National Bank, otherwise than at a great sacrifice. These considerations led to a change in my opinion, and induced me to concur with the President in the propriety of instituting such a bank after the conclusion of the war in 1815. As to the constitutional objection, it formed no serious obstacle. In voting against it in the first instance, I was governed essentially by policy. The construction I gave to the Constitution I considered a strict one:—In the latter instance, it was more liberal, but, according to my judgment, justified by its powers.

The above sketch contains my sentiments on the subject of your several interrogatories, which I communicate to you not for public view, but in a spirit of confidence. Since my retirement I have sought to avoid all political controversies. Having concurred with the President in the propriety of instituting the latter Bank, my opinion was not withheld, and is I presume known, as that it remains unaltered. Should a justification of my conduct for the change of sentiment in the interval between the institution of the first and second Bank become necessary, or any other appeal is made, to make it a public duty to explain the cause of that change, I shall not withhold it. I shall be attentive to the course of events, and not fail to perform that duty, should either call be made on me.

I am, dear sir, with great respect and sincere regard,  
yours,

SILAS E. BURROWS, Esq.  
New York.

JAMES MONROE.

## RESOLUTIONS RELATIVE TO THE UNION.

*Resolved, by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* As the sense of the Senate and House of Representatives of this commonwealth, that, the constitution of these United States, having proved itself by near half a century's experience, a government beyond all others, capable of promoting rational liberty and the general welfare, it must be preserved.

2. *Resolved,* As the sense of the Senate and House of Representatives, that the constitution of the U. State authorises acts of Congress to protect manufactures, and that the actual prosperity of the country attests the wisdom of such acts.

3. *Resolved,* As the sense of the Senate and House of Representatives, that any diminution of the protection now afforded to iron would be impolitic and injudicious legislation.

4. *Resolved,* As the sense of the Senate and House of Representatives, that the constitution of the United States authorises, and experience sanctions, the twenty-fifth section of the Act of Congress of September one thousand seven hundred and eighty-nine, and all others, empowering the federal judiciary to maintain the supreme laws.

5. *Resolved,* As the sense of the Senate and House of Representatives, that whereas the Bank of the Uni-

ted States has tended in a great degree to maintain a sound and uniform currency, to facilitate the financial operations of the government, to regulate foreign and domestic exchange, and has been conducive to commercial prosperity, the legislature of Pennsylvania recommend a renewal of its charter, under such regulations and restrictions, as to the power of the respective states, as Congress may deem right and proper.

6. *Resolved*, As the sense of the Senate and House of Representatives, That as soon as the national debt shall be paid, the most equitable and just mode of disposing of the surplus funds which may remain in the Treasury of the United States, after defraying the ordinary expenses of the government, and the payment of appropriations which may be made to objects of great national importance, will be by a distribution among the several states in proportion to their representation in the Congress of the United States, and that the Executive Veto was properly exercised on the bill making an appropriation to the Masyville and Lexington road bill.

FREDERICK SMITH,  
Speaker of the House of Rep.  
Wm. G. HAWKINS,  
Speaker of the Senate.

Approved 2d day of April, 1831.

GEORGE WOLF.

### METEOROLOGICAL REGISTER.

*Extract from the Meteorological Register, taken at the State Capitol—Harrisburg, Pennsylvania,*

BY WILLIAM MCSGRAVE, Librarian.

AUGUST, 1831.

Days of Week.	Thermometer.					Barometer.					WINDS.
	Days of the Month.	Morning temperature.	Noon temperature.	Night temperature.	Mean temp. of day.	Highest in Morn.	Highest at Noon.	Highest in Even.	Mean height of Barometer each day.		
Monday	1	70	83	77	76	29.70	70	72	29.70	W	
Tuesday	2	74	83	73	76		64	53	49	55	S
Wednesday	3	70	75	67	70		48	52	50	50	N
Thursday	4	56	70	64	63		60	57	58	58	N
Friday	5	56	70	68	64		58	54	57	56	W
Saturday	6	58	73	67	66		60	63	60	61	W to E
Sunday	7	63	73	66	67		60	65	63	62	E
Monday	8	60	63	63	62		63	60	48	57	E
Tuesday	9	64	72	72	69		55	68	77	66	SW
Wednesday	10	67	76	74	72		85	87	87	86	SE
Thursday	11	66	76	73	71		87	80	80	82	SW
Friday	12	68	77	75	73		78	78	75	77	W
Saturday	13	66	79	72	72		75	89	75	79	W
Sunday	14	64	83	78	75		76	70	65	70	W
Monday	15	70	83	80	77		65	60	60	61	W
Tuesday	16	68	83	80	77		60	60	60	60	W
Wednesday	17	72	84	78	78		60	66	70	65	Calm
Thursday	18	70	83	82	78		73	72	70	71	Calm
Friday	19	72	85	79	78		75	70	69	71	Calm
Saturday	20	76	80	77	77		72	70	64	68	SW
Sunday	21	74	84	74	77		60	60	57	59	S
Monday	22	72	83	78	77		60	57	57	58	S
Tuesday	23	72	74	70	72		60	60	63	61	NW
Wednesday	24	64	70	68	67		80	80	80	80	NE
Thursday	25	68	79	74	74		75	72	72	73	SW
Friday	26	72	77	73	74		66	64	62	64	SW
Saturday	27	76	75	68	73		74	76	75	75	N
Sunday	28	58	68	71	65		80	80	80	80	NE
Monday	29	50	68	60	59		90	90	90	90	NE
Tuesday	30	52	71	69	64		85	80	80	80	NE
Wednesday	31	58	74	70	67		80	78	75	77	E

Thermometer.		Barometer.	
Maximum on 18th,	78°	Maximum on 29th, 29.90 in.	
Minimum on 29th,	59	Minimum on 3d, 29.50	
Difference,	19°	Difference,	00.40 in
Mean,	68½°	Mean,	29.70 in

On the 18th, noon, Thermometer at 78°—the highest.  
On the 29th, morn. Thermometer at 59°—the lowest.

Range 34° in the month.

On the 29th, Barometer at 29.90 in., all day—highest.  
On the 3d, Barometer at 29.50 inches—the lowest.

Range 00.40 inch in the month.

#### ATMOSPHERICAL VARIATION.

Days of month.	M.	N.	E.
1	Light rain	Fair	Light rain
2	Cloudy	Heavy rain	Cloudy
3	Sun thro' c'd	Cloudy	Cloudy
4	Clear	Fair	Cloudy
5 6 12 13	Clear	Hazy sunsh.	Cloudy
7	Cloudy	Cloudy	Rain
8 23	Cloudy	Rain	Rain
9 24	Cloudy	Cloudy	Cloudy
10 11	Cloudy	Partly cl'r	Cloudy
14 15	Fair,	Fair	Fair not cl'r
16	Fair not clear	Sun thro' c'd	Cloudy
17 18 19	Fair not clear	Hazy sunsh.	Clear
20 21	Cloudy	Cloudy	Showery
22	Cloudy	Sun thro' c'd	Heavy show
25	Light rain	Sun thro' c'd	Clear
26	Heavy rain	Sun thro' c'd	Heavy show.
27	Cloudy	Sun thro' c'd	Fair not cl'r
28 29 30 31	Clear	Clear	Clear no c'd.

On the 3d and 4th, wind North; 24th, 27th, 28th, 29th and 30th, North-east; 6th, 7th, 8th and 31st, East; 10th South-east; 2d, 21st, 22d, South; 9th, 11th 20th, 25th, 26th, South-West; 1st, 5th, 12th, 13th, 14th, 15th, 16th 17th 18th, 19th, West; 23d, North-West; 17th, 18th, 19th, 20th, 21st. nearly dead calm.

The wind has been ten days East of the Meridian, 16 days West of it, 2 days North, and 3 days South.

There was rain on the 1st, 2d, 7th, 8th, 20th, 21st, 22d, 23d, 25th, 26th. The heaviest on the 2d, 8th, 22d, 23d, Thunder gusts on 2d, 21st, 22d, 23d, 26th.

This month was half a degree. mean temperature, colder, than last July, and 4½ colder than August, 1830.

On the evenings of the 4th, and 5th, and on the mornings of the 16th and 17th, the sun appeared as pale as the Moon before rain.—It may be remarked, that thus far, through the summer, the solar light has been defective, even when no clouds could be perceived—Whether this has been owing to accumulated vapours in the upper regions of the atmosphere—spots on the sun, or to the luminary itself, may be matter of further observation, but certain it is, that such continued rains and storms must depend on causes beyond our comprehension.

### EDUCATION OF COLOURED PEOPLE.

The undersigned committee appointed by a general convention held in this city, to direct and assist the conventional agent, the Rev. Samuel E. Cornish, in soliciting funds for the establishment of a COLLECTIVE SCHOOL, on the Manual Labor system, beg leave to call the attention of the enlightened and benevolent citizens of Philadelphia and its vicinity to the important subject. In doing which they deem it unnecessary in this enlightened country, and at this enterprising era, to ad-duce arrangements, or multiply words by way of appeal. The contrast between enlightened and barbarous nations—between the educated, and the vulgar, is the plainest demonstration of the utility of their plan and importance of their appeal. The colored citizens of the United States, assembled by delegation in this city, June last, alive to the interests of their brethren and

community generally, resolved at whatever labor or expense to establish, and maintain an institution in which their sons of the present and future generation may obtain a classical education and the mechanic arts in general.

Believing that all who know the difficult admission of our youths into seminaries of learning, and establishments of mechanism—all who know the efficient influence of education in cultivating the heart, restraining the passions, and improving the manners. All who wish to see our colored population more prudent, virtuous, and useful, will lend us their patronage, both in money and prayers. The Committee, in conclusion, would respectfully state, that the amount of money required to erect buildings, secure apparatus and mechanical instruments, is \$20,000; of this sum the colored people intend to contribute as largely as God has given them ability, and for the residue they look to the Christian community, who know their wants, their oppression and wrongs—and more particularly to the inhabitants of this city, celebrated for its benevolence, and in which so many preceding steps, taken for the advancement of our oppressed people, have had their origin. They would further state, that all monies collected by the principal agent, Rev. Samuel E. Cornish, who is now in this city, and whom they recommend to the confidence of all to whom he may appeal, will be deposited in the United States Bank, subject to the order of Arthur Tappan, Esq. of New York, their generous patron and friend; and in the event of the institution not going into operation, to be faithfully returned to the several donors. "The contemplated Seminary will be located at New Haven," Conn. and established on the self supporting system, so that the student may cultivate habits of industry, and obtain useful mechanical or agricultural profession, while pursuing classical studies.

Signed in behalf of the Convention, by  
JAMES FORTEN,  
JOSEPH CASSELS,  
ROBERT DOUGLASS,  
ROBERT SURVIS,  
FREDERICK A. HINTON,

Provisional Committee of Philadelphia.

Philadelphia, September 5, 1831.

\* It appears from the following extract, that the proposal is not seconded by the inhabitants of New Haven, and if the plan succeed, the location must be changed.

"A great excitement prevails in New Haven, on account of the contemplated establishment in that city, of a college for the education of blacks. On Saturday last, a numerous meeting of the citizens was convened, including the municipal authorities, who adopted the following preamble and resolution:

Whereas in the opinion of this meeting, Yale College, the institution for the education of females, and the other schools already existing in this city, are important to the community and the general interests of science, and as such have been deservedly patronised by the public, and the establishment of a college in the same place to educate the colored population, is incompatible with the prosperity, if not the existence of the present institutions of learning, and will be destructive to the best interests of the City; and believing as we do, that if the establishment of such a College in any part of the country, were deemed expedient, it should never be imposed on any community without their consent—Wherefore *Resolved*—By the Mayor, Aldermen, Common Council and Freemen of the City of New-Haven, in City Meeting assembled, that we will resist the establishment of the proposed college in this place, by every lawful means.

And on motion it was voted that the proceedings of this meeting, be signed by the Mayor, and countersigned by the Clerk, and published in all the Newspapers of this City.

(Signed) DENNIS KIMBERLY, Mayor."

ELISHA MONSON, Clerk.

PHILADELPHIA, September 7, 1831.

I wish success to every judicious measure for the improvement of the minds of the rising generation of the colored people in literature.

WM. WHITE,

H. U. ONDERDONK.

I do most cordially approve of the foregoing plan for meliorating the condition of the colored youths of our country; and being fully persuaded that the Manual Labor system is well adapted to the habits, wants, and peculiar situation of colored young men, I am of the opinion that liberal aid will be well and wisely bestowed on the proposed institution.

THOMAS MAULEY.

My own views are entirely expressed in the above favorable notices of Bishops White and Onderdonk, and Dr. M'Auley.

G. T. BEDELL.

I cheerfully commend the Rev. S. E. Cornish and the object of his application to my Christian friends; particularly because I feel confidence in the wisdom and perseverance of Arthur Tappan, Esq. in his efforts to promote the welfare of our colored brethren.

EZRA STILES ELY.

From the Berks and Schuylkill Journal.

### ANTHRACITE COAL.

Mr. GETZ,—Our neighbours in Schuylkill county have predicated unbounded prosperity to them and theirs on the extension of the consumption of Anthracite coal. We sincerely wish them all the success to which their enterprising spirit and industry so justly entitle them. We entertain no doubt that unlimited streams of welfare to be partaken of by us and all men: that is, all the citizens of our State, are about to flow from the same source. As the character of this fuel, which seems at present to be but partially understood, shall become generally known, we anticipate the extension of its use in geometrical progression. It has been applied with success to most of the objects which fire is an agent in effecting, and begins to be furnished at a price which must soon banish wood from our hearths and factory fires. It is but lately however, that the cook has taken it in hand. The sulphureous gas which it emits, though in small quantities, seems to have scared off that useful and respectable personage, become by general consent the constituted fiduciary of our gastric enjoyments. As the man who causes a blade of grass to grow where none grew before has been termed a benefactor of his species, so we with an humble ambition are induced to hope that a modicum of praise will not be denied by our coal dealing friends to him who essays to increase the demand for the article, if it be only by the consumption of one additional fire. But we hope to do more. We expect to promote the introduction of a score or two of coal fires in our own town by calling the attention of our fellow-citizens to the facility and advantage with which it may be applied to the purposes of the kitchen. If we are correct in our conjectures it is to the kitchen at last that this important branch of industry, the coal trade, is destined to owe its greatest success. We know of no subject so generally interesting to mankind as that of Gastronomy, and the prejudice runs in favour of cooking what we eat, as strongly now, as when in the last century, Dictionary, Johnson pronounces "A cooking Animal" to be par-excellence the definition of man. In our adoration for the element we seem second only to the sons of Zoroaster and fire worshippers of the East. The kitchen fire is as certainly the *sacred Fire* of the moderns, as that of Vesta was of the ancients, though it may be that the virgins who watch it, are not themselves so closely watched, as the vestals were by those uncompromising Heathens, the Romans. What is more to the purpose of the "coal dealing fellows;" however is the insatiable nature ascribed to it by the



wisdom of King Solomon, who ranks fire amongst the four things which never cry "hold enough." If it were not irrelevant it might, by a bold figure, be denominated *the fire that is not quenched*. "It keeps the noiseless tenor of its way uninterrupted by the season's change or the vicissitude of human affairs, and is equally indispensable to our comforts, whether we shiver in the frosts of winter, or swelter under a summer's sun. We hazard the assertion that the consumption of coal will be augmented in a ten fold proportion just so soon as we shall find it generally introduced into our kitchen fires.

Impressed with this conviction, we beg leave through the medium of your Journal to introduce to our fellow-citizens a plan which has been adapted to the application of Anthracite to all the purposes of domestic economy. The plan is not yet in extensive use, but is sufficiently so abundantly to test its utility, and after the experience of a twelve month or more has been pronounced by all who have tried it to have been attended with unqualified success. The apparatus consists of two parallel walls about four feet high and three feet and a half apart, resembling the side walls of a common fire place, with a back wall of the same height at the distance of two feet in depth. Within this fire place is a hearth elevated about eighteen inches from the floor, with a coal grate eighteen inches long, eleven wide and ten in depth, set in the middle about three inches from the front. Over the whole hearth is a cast-iron plate, being three and a half feet long and two feet wide, with an aperture of eighteen by eleven inches, so laid that the side of the aperture may correspond with those of the grate. The throat of the chimney is contracted by drawing in the brick of the back wall to the size of eight inches wide at the top, and is closed by a valve of sheet-iron moving on a hinge so as to be opened when required. A sheet-iron door hung in the manner of a window sash in front is drawn down to the hearth, closing up the opening in front and forming a spacious oven with moveable shelves for the occasions of baking. A coal fire in the apparatus thus described is fully competent to the business of the kitchen in all its departments. On the iron hearth kept continually hot, or over the grate if the occasion requires expedition, the operation of boiling, stewing and frying are performed effectually and with celerity. The space below the grate affords ample room, and a superior fire for broiling or barbecuing, while roasting is done in a tin kitchen before the fire in a manner not excelled by that of any mode in use. Touching the important periodical business of boiling Apple-butter, we must confess ourselves without experience, nor have our inquiries brought any aid to our own lucubrations on the subject, but as far as we may trust to a *priori* argument in a matter of such moment, we feel a confidence that it may be done over a coal fire as effectually and expeditiously as over one of hickory wood. There is no taste or flavour communicated to the provisions cooked in the oven above described, other than those which they possess when cooked in the ordinary manner. This may be verified by personal observation, if any one be found too sceptical to rely on our evidence. There are several grates erected upon this principle at present in our Borough, and for all the purposes to which fire is applied in a kitchen, they have been proved to be eminently useful. How greatly a coal fire is preferable to one of wood for warming houses is sufficiently known to all who are in the habit of using the former; but we conceive the difference to be far greater in favour of the coal fire when applied to the operations of cooking.

The permanency of the fire, the ease with which the fuel is carried to it, the diminished bulk of fuel necessary compared with that of wood and the general uniformity of its quality, combine to assure us that all who adopt it will be greatly delighted and benefitted by the change. In point of economy too the advantage from

substituting a coal for a wood fire is one of no slender consideration. Allowing a cord of hickory wood or a ton of coal per month for the kitchen fire, (and of the latter the allowance is a large one) a saving of two dollars per month is the result, which is about two thirds of the cost of the coal for the succeeding month. The simplicity of the contrivance is an important characteristic, rendering its construction practicable wherever a mechanic competent to lay bricks can be found, and reducing its expense so as to bring it within the reach of the poor: the introduction of the coal amongst whom has been regarded as a grand desideratum by those interested in the trade. We understand that our enterprising fellow-townsmen, the Messrs. Kays are preparing to cast plates and grates adapted to the apparatus we have described, which will supercede the use of old stove plates and wrought iron grates, which cost about twice as much as suitable ones can be furnished for by the Iron-master. CIVIS.

From the Bucks County Republican.

#### ESCHEAT COURT—REYNOLD'S CASE.

The following is the Inquisition as prepared and signed by the Deputy Escheator and Jury, in the late trial of escheat in the case of the Reynolds tract of land in Buckingham. We shall endeavour to give a sketch of the trial in our next.

BEFORE me, Thomas Ross, Deputy Escheator General in and for the county of Bucks, by virtue of a deputation from David Sturgeon, Esquire, Auditor General of the Com'th. of Pennsylvania, and in obedience to a writ from me the aforesaid deputy, bearing date at Doylestown, in the county aforesaid, the eleventh day of June, in the year of our Lord one thousand eight hundred and thirty-one, directed to the Sheriff of the said county, commanding him to cause to come before me, the aforesaid deputy, 24 good and lawful men of his county, at the house of Joseph Burrows, in the village of Doylestown, on the 30th day of June then next following, at ten o'clock in the forenoon of that day, to inquire whether John Reynolds, late of the county of Bucks, dec'd. hath died intestate, without heirs or known kindred; and whether such decedent was at the time of his death, seized or possessed of any and what estate, real and personal, in the county aforesaid, and also in whose hands or possession the same shall be, which writ with the panel affixed thereto is hereunto annexed, appeared of the said jurors, to wit: Joseph Hough, Esq. Joshua Barker, Esq. Wm. H. Henry, Esq. James Horner, Wm. Green, Abel Lester, Wm. H. Rowland, Michael H. Jenks, Benj. Hough, John Robbarts, Thomas Stephens, Wm. Maris, Thomas Beans, John K. Paxson, Michael Walters, Esq. Richard Janney, Robert Lovett, Benj. Williams, Elijah Opdyke, Thomas Stewart, John Ruckman, Nathaniel Shewell, and John Fretz, all of whom (with the exception of John Ruckman, who was excused) were duly sworn and affirmed, on their oaths and affirmations to inquire of the matters in the said precept set forth—And the same inquest having been adjourned to meet on the twenty-third day of August, next following, there appeared on the said 23d day of August, 1831, of the said jurors, Joseph Hough, Esq. Joshua Barker, Esq. Wm. H. Henry, Esq. James Horner, Wm. Green, Abel Lester, Wm. H. Rowland, Michael H. Jenks, Benj. Hough, John Robbarts, Thomas Stephens, Thomas Beans, John K. Paxson, Michael Walters, Esq. Richard Janney, Robert Lovett, Benj. Williams, Elijah Opdyke, Thomas Stewart, Nathaniel Shewell, and John Fretz—William Maris being the only juror absent. And the said inquest having been adjourned from day to day until this twenty-seventh day of August, 1831, do on their oaths and affirmations aforesaid, say, that John Reynolds, in the writ named, did not die intestate without heirs or known kindred, and that the Land which was patented to him the eighth of July 1687, lying and being in the county of Bucks, has not escheated to the



Commonwealth of Pennsylvania. Witness our hands and seals respectively, this twenty-seventh day of August, in the year of our Lord one thousand eight hundred and thirty-one.

THOS. ROSS, *Dept. Escheator Gen'l.*

(Here follows the signatures of the jury above named.)

We have received a full report of the proceedings in this trial. The novelty of this kind of proceeding in this county, we might say in this Commonwealth, as well as the great interests brought in question, have induced us to undertake the publication of a fuller abstract of the trial than we should otherwise deem proper for a newspaper report. Mr. Smith, one of the counsel for the land-holders, having taken short hand notes of the arguments of Mr. Morris, the concluding counsel on the same side, and of Mr. Ross, the Escheator, we shall be enabled to present a condensed view, corrected by those gentlemen, of both sides and the questions raised. The whole report is too long, and came to hand too late for this number. We shall, therefore, present our readers this week with a brief history of the case as detailed to the jury by the Escheator, and continue the publication as we find space and leisure.

The Court first met June 30th. All the Jurors attended, but one was excused, and one was not present when called.

Mr. Markley appeared for the Commonwealth, the informer.

Messrs. Morris, Grantham, Smith and M'Dowell, on the part of the persons notified as the landholders.

Mr. Smith appeared especially for certain of the "Settlers of the Reynold's Tract," who had petitioned the Legislature on the subject; and objected to proceeding, on the ground that the case was not cognizable under the Acts of Assembly concerning Escheats, and that the settlers believing this to be the case, had petitioned the Legislature to pass a special act on the subject, which petition was not yet decided on, but referred to the Attorney General for his opinion, to be given at the next session.

The Escheator decided that the cognizance of this question belonged to another tribunal, and that the decision of questions of adjournment and admission of evidence, rested exclusively with him.

John Golder, of Philadelphia, appeared for himself as first informant, and presented a certified copy of his information, filed 16th April, 1817, together with a protest against the present proceedings.

Mr. Markley then called upon the counsel present to state for whom they appeared, and objected that no one had any right to take defence, except the heirs of John Reynolds. The objection overruled.

After hearing a considerable part of the evidence for the information, the Court was adjourned to the 23d of August.

August 23d—Mr. Maris, one of the Jurors qualified, not appearing, the case proceeded, 21 Jurors present. The following is an abstract of the history of the case, as presented to the Jury by the Escheator in his Address to them, the whole of which will be given hereafter.

"Before I proceed to an examination of these points, I deem it proper to present you with a brief history of the proceedings, that have taken place respecting this tract of land, as far as the same may be collected from the evidence thus been adduced. In pursuance of a warrant, taken out by Zach. Whitpain, in behalf of Robert Reynolds, and a survey returned upon this warrant, a patent was granted to John Reynolds by the Proprietary on the 8th of July 1687, for 984 acres of land in Buckingham township, Bucks county. A re-survey was made of this tract in pursuance of a general warrant, dated 5th of November, 1702, and founded on the act of 1700; according to which re-survey it contained 1208 acres. After some time, settlements and

improvements were made upon the land, and conveyances by such settlers for valuable considerations also took place. In 1767; Ellicot and Kinsey obtained warrants to take up a certain quantity of land in Bucks county, and which they alleged was vacant.

Upon a representation being made, that the land contained in the warrants granted to Kinsey and Ellicot was embraced within the limits of the Reynolds tract, the Surveyor General was directed not to execute them. In January, 1769, the Proprietaries did, upon the application of the persons under whom the present tenants claim, and upon their own representation, grant to the several possessors escheat warrants for the parts by them respectively occupied. Upon some of these warrants, surveys were made and returned; but upon the others so far as it appears from the evidence, neither surveys or returns have ever been made. The earliest return of survey on any of the warrants was in March, 1789, and the latest in 1811. A representation having been made in 1781, by the Escheator General, that this land had Escheated, a warrant was granted on the 30th August, 1781, for re-surveying this tract as an Escheat, and a re-survey was accordingly made, and the tract found to contain 987 acres, exclusive of the vacant land. In August, 1782, a caveat was filed by Charles Carter, against granting a patent to Kinsey and Ellicot on the warrants obtained by them in 1767. The Board of Property, at a meeting held March 2d, 1784, in deciding upon this caveat, gave the preference to pre-emption, to those individuals who obtained the Escheat warrants in 1769, provided they complied with such terms as should be judged reasonable. At another meeting of the Board, held on the 7th of June, in the same year; John Betts, and John Wilson, Esq. appearing as the authorized agents of the other settlers, offered at the rate of 72½ per cent. for their respective surveys, to be paid within six months with interest; which terms the Board agreed to accept, and directed patents of confirmation to issue whenever the claimants complied with the terms thus agreed upon. James Bonner obtained a patent for 123 of this land, the 28th of September, 1786; and John Betts, also, obtained a patent for 79½ acres, the 2d of June, 1787,—they having each of them, complied with the contract of 1784. It also appears that James Wood paid 32½ 12s. on account of his land, and that he afterwards offered to pay the residue, but that the Board of Property refused to receive it, on account of a caveat having been filed in 1788, by persons claiming to be heirs of John Reynolds, which had not been acted upon, but was then pending. At a meeting of the Board of Property, June 18th, 1794, this caveat was dismissed, and patents directed to be allowed the settlers, upon their complying with the contract.

It also appears that a list of Escheated property was returned by John Nicholson, October 4, 1787, among which is enumerated the Reynolds tract. An information of the Escheat of this property was also filed in 1817, by John Golder, who has filed a protest against these proceedings.

A petition was presented to the last session of the Legislature, signed by 11 of the settlers, asking the State to relinquish any claim she may be supposed to have on this property, in consequence of the contract entered into in 1784.

A patent of Robert Strettel has also been adduced in evidence by the tenants in possession, which states in the recital, that there had been surveyed to John Reynolds, a tract of 984 acres, in Buckingham township, but that the said tract had not been seated or improved as required by certain concessions agreed to between William Penn and the first purchasers; and that the Proprietaries were requested to allow 500 acres, part of the said tract, to be taken up, which request was granted and a patent issued for 500 acres; but which as it appears by the survey, of 1781, was not included in the Reynold's tract."

(To be continued.)

From the Gettysburg Compiler.

### RAIL ROAD MEETING.

At a meeting of a number of the citizens of Adams county, held in the Court-house, in Gettysburg, on Saturday last, to take into consideration the propriety of petitioning the next Legislature to grant an act incorporating a Company, to construct a Rail-Road from Gettysburg to the Maryland line, at the head waters of Monococy—GEORGE SMYSER, Esq. was called to the Chair, and ZEPHANIAH HERBERT, Esq. appointed Secretary. The object of the meeting being explained by JAMES DOBBIN, Esq. on motion of THADDEUS STEVENS, Esq. the following Committee was appointed to make a Report of a survey made a few days since by a number of citizens, viz: Samuel Sloan, Thaddeus Stevens, John Garvin, William S. Cobean, and Robert Smith, Esq's. —who presented the following:—

The Committee appointed to furnish information to the meeting, REPORT:

That we ran the route, from the head of Monococy on the east side of Rock-creek, to the mouth of back run, where we crossed said creek, and thence up said run to its source, and to the summit, on Samuel Sloan's farm, and from thence to Gettysburg. We found the distance from Monococy to the summit to be 2479 perches; 1650 of which, to wit, from the foot of McKinney's meadow to the summit, is an inclined plane, on which, in the whole distance, there need not be a foot of rise lost, but a continual ascent kept, (probably, with moderate digging in two or three places, a continual rise might be kept up from Monococy the whole distance;) that the ground is remarkably even except in 3 places; the first, a bluff of red rock below Allison's of perhaps fifty perches, but not high; the second a space of small rocks below Michael Miller's of about 80 or 90 perches—and the other a space of rocks on land of Jacob Sherfigh of 80 perches, some of which may be 3 feet high—from whence to the summit is almost as smooth as a meadow. From the summit to the intersection of Middle and West streets is 380 perches, in which there is but 24 feet fall, (about 20 feet to the mile,) and may be kept at a continual descent the whole distance with very little digging, as the ground is very level. We have also ascertained, principally from actual levelling, that the summit is 175 feet higher than the head of Monococy, which is 2479 perches distant: therefore, if the same grade could be kept, the rise would be about twenty-two feet to the mile. The whole distance would be found to be 8 miles and 299 perches, (which is one mile and 93 perches more than a direct line)—which, from the goodness of the ground, need not be increased much in locating the road. Upon the whole, we think it perfectly practicable, at a reasonable expense, and the best route we have ever seen for that purpose, and recommend to the meeting to take immediate measures for obtaining a charter.

After the above Report was read, the following resolutions, offered by T. Stevens, Esq. were adopted:—

Resolved, That it is expedient for the citizens of Adams county to petition the next Legislature to incorporate a Company to make a Rail-Road from the Maryland line at Gettysburg, to intersect the Rail-Road now making from Baltimore to the head waters of the Monococy.

Resolved, That a Committee of twelve be appointed to procure signatures to said petition.

Resolved, That a Committee of three be appointed to attend at Harrisburgh, and see that said petition be presented and properly explained.

The following gentlemen compose the Committee appointed agreeably to the second resolution:—

T. Stevens, J. B. McPherson, S. Sloan, T. J. Cooper, J. Garvin, Z. Herbert, E. Blythe, D. Middlecoff, J. McSherry, T. McKnight, J. Hersh, David Stewart.

According to third resolution:—

T. Stevens, J. McSherry, and T. C. Miller, Esquires. Resolved, That the above proceeding be published in all the papers. GEO. SMYSER, Chair'n.

Z. HERBERT, Sec'y.

### CAUSE OF THE POLES.

A very numerous meeting of Young Men friendly to the cause of Poland, was held at the County Court Room on Monday evening, the 12th instant; Captain PETER FRITZ was called to the Chair, and SAMUEL HART and CHARLES HEDDLIUS appointed Secretaries. The object of the meeting having been stated by the Chairman, it was on motion,

Resolved, That a Committee of six be appointed to draft resolutions expressive of the sense of the meeting, when Col. James Page, Robert Morris, John McCahen, Charles T. Potts, John Ashton, Jr. and Col. Charles K. Servoss, were appointed on the Committee. The following communication, from James W. Shamburgh, was read, and ordered to be incorporated with the proceedings of the meeting.

"Marine Garrison, Philad. Sept. 11th, 1831.

"Sir: I have observed with pleasure, the determined spirit with which the cause of the gallant, but suffering Poles, has been noticed; and a determination on the part of our young men, to assemble for the purpose of considering the practicability of recruiting a force, to go forth, for the purpose of reciprocating, defending and sustaining that liberty, which at "a time that tried men's souls," was accomplished for us by her gallant sons, Kosciusko and Pulaski; relying on the patriotism of this, our own free and happy land, we may confidently trust that the Lord of host will go with us to battle in a righteous cause, and crown our exertions with success.

"I have the honor to hold a commission in the U. S. Marine Corps, and would be willing to subscribe to the resolves of the intended meeting of Monday evening.

Very respectfully, your obedient servant,

(Signed) JAMES M. SHAUMBURGH.

To the Chairman of the meeting of the 'Young Men' of Philadelphia, in behalf of the Poles."

The following preamble and resolutions were presented by the Committee, and after being supported by a very able and eloquent address from Col. Page, were unanimously adopted.

Whereas, the people of Poland have been engaged in an heroic and fearful struggle, to achieve their independence, and guarantee to their children the richest of blessings, human liberty, and that we as the grateful sons of patriot and revolutionary sires, deeply sympathize with them and their cause, and feel it incumbent upon us to yield them more tangible assistance than mere words, in evidence of our sympathy:

Therefore, Resolved, That a general committee of superintendence, with ward committees, be appointed at this meeting, the latter to make collections from every class of our citizens in aid of the Poles, and the former to devise the most expedient means for forwarding the said collections to that struggling nation.

Resolved that in case the Polish people should fail in their efforts to shake off the tyranny of Russia, and hence our donations be rendered ineffectual for that purpose, that the Committee of Superintendence shall be empowered to make such use of the collections as shall seem to them most just and proper.

Resolved, That a committee be appointed to prepare an address to the public, appealing to them in behalf of the objects that have called us together this evening.

On motion of Col. Page, it was resolved, that a collection be made immediately from the persons present—when \$62 12 was ascertained to be the amount received.

On motion, Resolved, That when this meeting adjourns, it will adjourn to meet in Independence Square, on Monday next, at 4 o'clock in the afternoon, to receive the report of the committee appointed to prepare the address.

On motion, adjourned.

SAMUEL HART, } PETER FRITZ, Chairman.  
CHAS. HEDDLIUS, } Secretaries.

*Committee of Superintendence.*

Joseph R. Chandler,	Samuel Hart,
Col. Chas. K. Servoss,	B. Jones, jr.
Robert Morris,	Samuel Cameron,
James Page,	Michael W. Ash,
Charles T. Potts,	Col. J. G. Watmough,
R. T. Conrad,	Samuel J. Pearson,
Capt. Peter Fritz,	John Sloan,
Col. Jos. S. Riley,	Wm. G. Alexander,
Chas. Hedelius,	Col. T. W. Duffield,

*Committee to prepare an Address.*

Col. James Page,	Capt. Peter Fritz,
Walter R. Johnson,	George M. Dallas,
R. T. Conrad,	Dr. James M'Henry.
Chas. Hedelius,	

At a meeting of the Committee of Superintendence, held on Tuesday evening, September 13th, 1831, JOSEPH R. CHANDLER, Esq. was called to the chair, and Captain PETER FRITZ, appointed Secretary.

On motion, Resolved, That the Committee proceed to an election of Treasurer—when JOSEPH R. CHANDLER, Esq. was unanimously chosen.

Resolved, That the proprietors of public houses in the city and county of Philadelphia, be requested to receive contributions for the aid of Poland, and hand the amount to the Treasurer of the Committee of Superintendence.

Resolved, That the heads of the different churches of Philadelphia, be solicited to ask collections from their respective congregations, in behalf of the Poles, and make report to the Treasurer of the Committee of Superintendence.

The Committee then proceeded to the selection of Ward and District Committees, when the following gentlemen were chosen.

*Ward Committees.*

Upper Delaware Ward.—Charles J. Jack, Theodore M'Carabur, John S. Cash, John Dallam, John H. Dolmat.

Lower Delaware Ward.—C. K. Servoss, John W. M'Grath, Charles T. Potts, Peter Fritz, John H. Campbell, Jacob Mayland, Jr. David S. Freland.

North Mulberry Ward.—Henry Simpson, Samuel Hart, William J. Torr, Samuel Overn, N. B. Leidy, Thomas J. Leib.

South Mulberry Ward.—James M'Lerran, Willis H. Blaney, Amos Howell, John R. Vogdes, John J. Logue.

North Ward.—Michael Baker, Gen. Robert Patterson, George Fox, William L. Fox, Robert Govett, Charles Schaffer, Jr. Robert Adams.

High Street Ward.—John H. Palethorpe, George W. Duffy, I. Sweeney, William Chrystler, David S. Hassinger, Dr. Hudson Burr, Geo. Emerick, Col. R. M. Lee.

Chesnut Ward.—John Ashton, Jr. Robert T. Bicknell, James L. Dougherty, James M'Henry, George Tabor, L. W. Ryckman, Robert Donnell.

Walnut Ward.—Robert Morris, Thomas C. Wright, J. J. Rodrigues, Wm. Butcher, William White, Jr. Wm. C. Brown, George F. Gorman.

Middle Ward.—Jas. Brown, Wm. J. Leiper, Thomas M'Anus, Robert Taylor, R. B. Arey, Seth Craige.

South Ward.—Geo. Smith, Jas. Page, Jas. Taylor, Thos. Morrell, Jas. P. Smith, Vincent L. Bradford.

Locust Ward.—John Horn, Thomas Brown, Jr. Wm. Lomax, Robert Miles, (silver plater,) Jas. Hickey, Wm. W. Weeks, James H. Hutchinson.

Cedar Ward.—Col. Wm. P. Smith, Chas. Johnson, jr. Richard Dickson, Wm. Justus, Geo. R. Harmstead, A. R. Gemmeny.

Dock Ward.—A. F. Phillips, Wm. H. M'Dowell, Samuel Cowperthwaite, J. W. M'Curdy, Col. Cannon, Geo. Jeffreys.

Pine Ward.—Chas. Hedelius, Wm. Harbeson, Wm. L. Ashmead, Francis Russell, Townsend S. Carver, John Lewis, G. W. Bastian, R. O. Wharton.

New Market Ward.—Henry Caron, Jacob B. Lancaster, Samuel Huff, J. H. Brady, Chas. Oakford, Jno. R. Neff, jr. Thos. H. Young.

Southward.—Wm. G. Alexander, J. R. Burden, J. W. Nesbitt, J. Flickwir, N. C. Foster, F. G. Smith, R. W. Barnard, Thos. F. Curtis, — Holton, A. J. Reid, J. B. M'Keever, Frederick Wolbert, Jas. W. Shamburg, Benj. Phillips, Joseph Oliver, John J. Oliver, J. Keefe, Thos. D. Grover.

Moyamensing.—F. A. Raybold, Doctor M. F. Groves, Doctor Alexander C. Draper, Thomas Flemington, Col. Thos. Kohler, Robert F. Groves.

Kensington.—Taylor Brandt, Wm. D. Baker, Alex'r. Major, Chas. Keen, Tracy Taylor, Daniel Fidler, Isaac Boileau, Dr. G. H. Beamer, Thos. H. Craige.

Northern Liberties.—Joseph S. Riley, George F. Goodman, B. E. Carpenter, Jno. Miles, John Laws, Peter Baker, Powell Channell, Dilworth Wentz, George Moser, Michael W. Ash, James Goodman, Jno. R. Walker, Henry Schell, Augustin Stevenson, Robert T. Conrad, Charles Naylor, Benj. Clark, Benj. T. Mathias, David Dillinger, H. F. Smith.

Penn Township.—Saml. J. Pearson, Wm. S. Frederick, Jno. D. Ninesteel, R. H. Bartle, M. Lawrence, Thos. W. Dukes, David Pearson, Jr. Matthias Sowers, Adam Woelpper, Nicholas Palmer, Dr. Jos. Moore, Wm. Rheiner, Jos. Lake, Thos. Coats, Dr. Geo. W. Riter, Joseph Taylor, Miles N. Carpenter, Lawrence Shuster, Jno. Lewis, Jno. L. Woolf, Jacob Wonderly.

Resolved, That the several committees have power to fill all vacancies that may occur in their respective bodies.

Resolved, That all the committees, that for drafting an address, the committee of superintendence, the ward and district committees, be urgently requested to attend a meeting to be held at L. W. Ryckman's Hotel, on the evening of Thursday, the 15th inst. for the purpose of making arrangements to enter upon their respective duties.

Resolved, That Joseph R. Chandler, and Robt. Morris, constitute a committee to prepare books and other necessary materials for the ward committees, when making their collections.

Resolved, That the meeting adjourn.

JOSEPH R. CHANDLER, Chairman.

PETER FRITZ, Secretary.

The adjourned meeting in the State House yard on Monday afternoon, was numerously attended. The following spirited and appropriate address, from the committee appointed for that purpose, was read by W. R. JOHNSON, Esq. and Mr. HOLCOMBE, of the Philadelphia bar, made an eloquent and fervent appeal to the meeting in behalf of Poland.

From the Pennsylvania Inquirer.

## APPEAL TO THE PUBLICK.

FELLOW-CITIZENS:—The cause of a magnanimous and suflering people solicits your deep attention. But before urging the particular merits of this cause; let us reflect for a moment on the existing state of institutions and opinions—let us glance at the condition of Europe—let us mark our own position as a nation—the policy of our Government, and the pledges of our citizens.—You need scarcely be reminded that every nation in Europe and America, which can lay claim to any share of civilization, is divided between two opposing principles, and that the men of both hemispheres are either avowedly or virtually arrayed under the banner of *freedom*, or under that of *despotism*.

Leaving every causit, who finds himself on the wrong side of this question, to divide and subdivide the parties, and fritter away, if he can, the distinction, let us be content to *know* that it exists, and to mark its great distinguishing lines. The characteristics of this despotic principle are, that it sprang with all its monstrous maxims, from an age of darkness—was nourished in the



arms of superstition, and has ever founded its hopes on the perpetration of abuses. It claims divine rights for the few, and a blind submission in the many. It distrusts the general mind—fears the investigation of its own claims to respect—and pursues, through craft and diplomatic secrecy, the guilty objects of its perverse ambition. It would close the avenues to intellectual, moral and political light, against all who move not within its magic circle, or would make whatever of knowledge, of power, or of happiness it permits to exist, to appear to emanate from its own insolent will or more insolent *patronage*. It shuts up the senate house—it shackles the press, or garbles its productions. It sends genius and patriotism to pine in dungeons. It closed the clanking bars of Olmutz around all that is virtuous and admirable in man, and (oh! shame upon manhood,) around all that is lovely too and angelic in woman! It sent the mangled limbs of the gallant Riego towards the four quarters of heaven. It shrivels up the intellect of youth, and bows down into premature decrepitude the body of manhood. It shackles commerce with exactions and monopolies—agriculture with tithes and taxation—manufactures with restrictions or insidious privileges. It cramps independent enterprise—it feeds the minions of power on the labours of virtuous industry, and when asked for its warrant of authority for all this insolent trampling on reason, virtue and humanity, it points to some long forgotten parchment—some strip of velvet adorned with baubles, fit to amuse the tenants of a nursery, or to some little heaps of what it is pleased to call venerable dust, but which, like their prototypes in an Egyptian catacomb, are often less fit to delight or benefit, than to blind, smother and disgust the modern beholder.

The antagonist principle is that which comes forth in the beauty and loveliness of sincerity, in the light of a glorious day, in the confidence of universal intelligence. It shrinks not to declare the motives, to avow the design, and proclaim the end of every political measure. It goes not forth to gain proselytes, but proclaims aloud its own faith—it claims no right to subvert a foreign government, but acknowledges the actual controlling power—whether new or old, because it presumes that the people prefer what they deliberately adopt. It sends a cheering smile wherever the principle of freedom is manifested, and is ever ready to animate the souls of those who have nobly struggled for the maintenance of their rights.

This principle rests on the acknowledgment of the great truth, that men have an unalienable right to life, liberty, the products of their industry, and the cultivation and exercise of their intellectual powers. It acknowledges the foundation of the government to be the welfare of the people. It wins conquests with the armour of reason, and substitutes honorable persuasion for swords, dungeons, and faggots.

This principle has in every age of the world been most efficient where the greatest share of intelligence pervaded the public mind. Extending its regards to every member of the body politic, it seeks to bind the whole in a harmonious union of interests and affections. Concealment and evasion are its abhorrence. It forbids the mass of a nation to embroil itself in quarrels to serve the interests of a clan, or to prosecute the feuds of an ambitious despot. Peace, plenty and contentment are its natural fruits. It knows war and violence only as the companions and harbingers of despotic power.

Would you be informed where the struggle between these opposing principles has been carried on? Look southward see nine independent nations created by this contest in a quarter of a century; and say not they have tarnished all the glory of their achievements by scenes of blood and devastation. Say rather that the dark demon of despotism had so entwined his empoisoned folds around them, that escape was impossible, except by absolutely and thoroughly severing his deadly coils.

Look next towards the rising sun, and trace with rapid eye the course of events through half a century; mark the transformation of beautiful France from a blank and leaden despotism, to a liberal and almost republican monarchy. Behold the numerous, though not always successful struggles of Italy, of Spain, of Portugal, of Greece, of Belgium, of Poland. See Ireland emancipated and England reformed. Observe the gradual relaxing of the fangs of hierarchal power, and the slow but sure approximation to a state of religious freedom. Mark how every successive effort gains, even in defeat, more sympathy and applause, yea, even more *strength* than despotism can win by its most brilliant successes. Hear from the vales of Hungary, and the heights of Helvetia, an approving plaudit sent forth to the battle-ments of Warsaw.

It is worthy of all observation, that, in the strife of despotism, the agents must all be *men*, endowed with a common nature, and touched by common sympathies with those whom they are made to oppose. Will the yoke of military despotism be forever bound to the necks of human beings, who have hearts within their bosoms? To assert it, were a libel on human nature.

And will the example of twenty-five millions of Britons, and thirty millions of gallant Frenchmen, be lost on the souls of all the brave and virtuous who chance to live a few degrees nearer than they to the polar bear? Nay, will not the bear himself assume his wont, assert his nature, and learn to *break the ice*?

But what has America to do in all this warfare of principle? Is she not safe? Is she not standing on a proud pre-eminence, aloof from the tempest? Truly—but this vantage ground itself imposes a more solemn obligation. As she has stood for the last half century the acknowledged and declared champion of the liberal principles so happily conducing to her own prosperity, can she now avow her indifference? Can she now, when the few advocates for colonial dependence, or monarchical rule, that survived the war of her independence, are all gone, or merged in the millions that boast only of liberty, or far better, converted into the enthusiastic admirers and supporters of freedom—can she coldly turn her back upon the cause of men, who have shaken off the yoke of the oppressor? Did they who issued the immortal manifesto of American principles from yonder hall, did they hesitate to avow their love of liberty, and their abhorrence of tyranny? And are their sons already absolved from the obligation, because the blessed fruits of that freedom which the plighted lives and honour of the fathers won, are so plentifully poured around us, that we are tired and cloyed with the rich banquet? Are the days, indeed, so degenerate; the offspring so craven and so poor in spirit, that they will not send an aspiration after the holy cause which their sires poured out their blood and treasure to maintain, while they invoked heaven and earth, and all its nations, to witness and record their vows? Can they see their brother man groined down to the dust, or converted into a passive, heartless and headless implement of brutal power, and yet fold their hands in contented apathy? Soul of Warren! was it with such feelings that thou ascendest to heaven from the proud heights of Charlestown? Shade of our country's father, pronounce again for us, and teach us to pronounce thy words of sympathy to the first magnanimous allies of our nation, just springing from their first struggle with arbitrary power: "My anxious recollections, my sympathetic feelings, and my best wishes, are irresistibly excited, *whenever, in any country, I see an oppressed nation unfurl the banners of freedom.*"

And what meant the firm and manly tone of him who, on your last jubilee, went to join the immortal train of the great and good, when he proclaimed in your name, that the western world was no longer to be parcelled out to their creatures by the banded legitimates of Europe?

Was it for the sake of an empty show that you were



foremost to grasp the hand of your liberated brethren of the south? Was it the vanity only of appearing among charitable men, that you sent your almoners to Greece, and freighted your barques for Ireland! Your souls abhor the foul aspersion!

But, aside from our positive pledges, the God of nature has made us the responsible depositories of the cause of human rights and liberal principles, and we cannot, if we would, escape from the duty which this trust imposes—we cannot, if we would, refrain from exerting an influence, either for good or for evil, on the hopes and prospects of every free nation. When a people rises in the majesty of its might, and proclaims the intention of governing itself, our indifference, with that of other free nations, brings the chill of death to the reviving hopes of liberty. Can you, then, view the question at issue between Poland and her present invaders in any other light than one of general concern to the friends of humanity throughout the globe? Claiming a family relationship, a fraternal affinity with all the friends of freedom, we must heartily respond to the sentiments of our fellow citizens near the scene of action, and utter our true convictions.

Can your breath give life, and will you refuse to breathe even a prayer for the salvation of Poland? Will you behold three grizzly monsters tearing her fair bosom, and hear her shrieks, while fire and sword and plague and famine are all let loose, and greedily preparing to celebrate their hellish triumph over her mangled corpse.

Consider the ancient greatness and the noble bearing of this nation—remember that Prussia was once her vassal—that Austria owed to Poland a deliverance from Turkish invasion—that the ancient capital and crown of the Czars once submitted to the conquering arms of the Polish nation. Reflect on the execrable duplicity, treachery and crime that preceded and followed her dismemberment—forget not that the internal divisions which formed the pretexts for this atrocious act, were fomented by the very hands that afterwards divided the spoil. That the liberal character of the Polish institutions, had been secured for two centuries before, by a written constitution, abrogating hereditary power, and given to an elected monarch. Think of all her sufferings under that barbarous sway which replaced her own more enlightened institutions, and made the Cossacks of the Don to be the teachers of civilization on the Vistula—a consummation just as rational and humane as to place the control of your own towns and cities in the hands of a cargo of cannibals from the Southern Ocean.

Bear in mind that while other nations complain, if their governments leave science to become stationary, arts and literature without encouragement, the late ruling powers of Poland have sought to annihilate taste and intellect, as well as law and justice. The solace of other nations groaning under political domination, has been that they could not be wholly cut off from intercourse and sympathy with their fellow men, and from the blessings of civilization. But Poland is surrounded by regions of intellectual, moral and political darkness—a darkness to be felt, not to be described.

Even the last remnant of her independence, the Grand Duchy of Warsaw, was by the unholy conspirators of Vienna, Laybach, and Verona, merged in the dominions of the Muscovite. Under this load of accumulated wrongs, has this gallant people still preserved its ancient spirit, and astonished the world by its undying patriotism. Devotion to country and to the principles of liberty has superseded every other emotion; her treasures have been poured out as water—no age—no sex—no condition endures to be absent from the scene of danger and the post of honor. A new Kosciusko leads her valiant squadrons, while he vows to the son of your Washington, to that veteran hero of two worlds, an eternal fidelity to the cause of Poland and the rights of man.

But while our hearts are warmed by the wrongs no less than by the glorious deeds of Poland, let us, fellow citizens, remember with gratitude that when our fathers proclaimed the broad principles of human liberty, there was Polish blood mingled with their own to seal and solemnize the act; that when our fair city, which first heard the sounds of defiance, and saw foreign dominion overthrown, had become the scene of hostile insolence, it was side by side with the Pulaskis and Kosciuskos that our Lafayette and our Washington achieved its deliverance. We cannot forget that within a few short miles of the spot where we are assembled, lay, for many a long and gloomy month, the gallant little army which in that dark hour formed the chief hope and stay, we will not say of our country, but of the cause of freedom throughout the globe; and that within a still less distance, stand to this day visible, memorials of one of those disastrous reverses which tried the souls of our heroes and their magnanimous allies. And may we not ask ourselves, what in those hours of dismal foreboding would have been the transports of joy to have heard that thirteen millions of freemen beyond the ocean were watching with breathless anxiety to catch every joyful rumour of our success, to pour out their treasures, their prayers, and if possible, their blood, in our cause?

Standing then, fellow citizens, within sight of so many objects dear to the heart of an American patriot, within reach of those walls whose very antique adornments you so much venerate, because they were looked upon by the eyes of your magnanimous sires, in the dark hours of adversity, can you shut up your bosoms, can you admit enough of selfish policy, can you breed enough of artificial cold in your hearts to freeze the genial currents of your generous souls?

Are you asked what reason have you to send your sympathies abroad to the distant banks of the Vistula. Be this your answer:—The God of nature has given us hearts, and bid those hearts to feel for the wrongs of our brother man, and we must and will obey the mandate.

If in any this organ of sensibility be wholly wanting—be torpid—or be dead, let such coldly speculate on the policy, the expediency, the dignity of expressing our sympathies.

We envy not the clay-cold hearts that know  
No joy in rescuing other hearts from woe;  
We envy not the indurated tone  
Of feelings, touched but for themselves alone.

Let us then, fellow citizens, greet, with a cheering earnest of our sincerity, the deliverers of Poland—let the rich lend of their blest abundance—let the poor lend their mite—let age lend its wisdom, and youth its vigour—let the tear of your matrons solace the bereaved mothers of Poland, and your daughters shed the accustomed balm of their smiles upon the bleeding bosoms that have been bared for liberty!

JAMES PAGE,  
WALTER R. JOHNSON,  
R. T. CONRAD,  
CHARLES HEDELIUS,  
PETER FRITZ,  
JAMES M'HENRY.

#### PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, Sep. 15, 1831.

SELECT COUNCIL.—Mr. Duane presented the following petition from Messrs. Peck and Garrigues which was laid on the table.

*To the Select and Common Councils of the City of Philadelphia.*

GENTLEMEN,—We have placed a specimen for naming streets in Brass Letters, at the office of the City Commissioners, We believe those letters to possess many advantages over those which are painted. In the

first place they are ever durable, they are coated with superior varnish which effectually prevents them from tarnishing by the action of the weather.

They will of course grow dim in the warm season, by means of flies, dust, &c. but are immediately renewed by being wiped with any kind of acid (diluted) or soap water; the wiping does not effect the varnish. One minute's labour on each letter every year will always keep them brilliant. Any gentlemen of the Councils will be furnished with a specimen, in order to test the durability and strength of our varnish, on application to us.

We warrant our varnished letter to remain a week or month in the strongest brine, and come out untarnished. We respectfully invite the members of the Councils to call and examine our work and ascertain its advantages, and we trust our prices are such as will give entire satisfaction,

Respectfully,

PECK AND GARRIGUES,  
Metallic Letter and Figure Makers,

Back of No. 22 Library street, Philadelphia.

PHILADELPHIA, Sept. 15th, 1831.

Mr. Fox presented a petition to pave Linden street, which was referred to Paving Committee.

The following communication was received from the Directors of the Pennsylvania Deaf and Dumb Institution, which was also referred to the Paving Committee.

*To John M. Scott, Esq. President Select Council.*

PHILADELPHIA, Sept. 15th, 1831.

DEAR SIR,—In compliance with a Resolution of the Board of Directors, I beg leave through you, to request Councils to grant to the Pennsylvania Institution for the Deaf and Dumb, permission to have an opening into the culvert now building in Pine street near Broad. The opening is desired for the purpose of carrying off the water from the Bath House of the Institution.

I am, very truly and respectfully,

Your obedient servant,

W. M. MEREDITH,

Secretary of the Penn. Inst. for the Deaf and Dumb.

MR. KITTERA as Chairman of the Committee to whom was referred the petitions of Messrs. Evan Rogers, and Mr. Nathan Bunker, made the following report which was not agreed to by the Select Council.

*The Committee to whom was referred the Petition of Evans Rogers, and Nathan Bunker, report:*

That having inquired into the facts set forth in the petitions, and obtained all the information necessary from the Recording Surveyor, recommend for adoption the following resolution:—

Resolved, by the Select and Common Councils, That the City Solicitor be authorized to adopt such measures as may be necessary to have Locust street, between Eighth and Washington street, opened to the width of 50 feet according to the City plan of regulation, at the distance of 370 feet from the south line of Walnut street, as described in said plan.

MR. DUANE offered the following resolution relative to Fire Companies which was laid on the table.

Resolved, That, if it shall at any time be established to the satisfaction of the Mayor, that any fire engine or horse carriage shall have been drawn along any other part of any street or alley, except the cart-way, the right of the members of the company owning such engine or horse carriage, to receive from the city treasury any part of the annuity now distributable among the several fire engine and horse companies established in the said city, shall cease.

MR. DUANE as Chairman of the Watering Committee made a report with the agreement with the commissioners of Spring Garden relative to the Schuylkill water, which was passed by both Councils.

The Watering Committee respectfully report the following resolution:—

Resolved, That the following articles of agreement between the City of Philadelphia and the District of

Spring Garden, be, and they are hereby adopted on the part of the City of Philadelphia; and that the Mayor be, and he is hereby authorized to affix the city seal and perform any other act necessary for the legal execution of the said articles of agreement.

COMMON COUNCIL.—MR. WETHERILL as Chairman of the Committee to whom was referred the petition of Messrs. Hollingshead, Platt and Co. reported the following Ordinance, which after considerable debate was postponed.

*An Ordinance, directing the lease of certain Real Estate.*

SEC. 1. Be it enacted, &c. That the City Commissioners be and they are hereby directed to execute, a lease with proper covenants to Hugh F. Hollingshead, William Platt and Charles Taylor, their Executors, Administrators, and Assigns, for the term of nine hundred and ninety nine years, of all the right title, interest, and property of the city in and to so much of the ground now included in Clifford's alley, so called, (being an alley of ten feet in width, situate between High and Mulberry streets,) as lies to the eastward of a line one hundred and forty feet eastward from and parallel to Water street, with the appurtenances and privileges whatsoever to the said ground belonging; reserving an annual rent thereof of one dollar.

SEC. 2. That among the conditions of the said lease shall be that the lessees shall at all times hereafter, during the continuance of the said lease, permit the premises to be used for passages as heretofore; and shall pay all taxes and assessments which under any law of the Commonwealth of Pennsylvania may be imposed on the same; and shall at their own cost and charges keep the demised premises in repair, and construct, maintain and keep in good order and repair all necessary culverts and water ways upon and under the same; and that they shall not build on or over the same:—And that for breach of any of the said conditions, the lease shall become void.

It being understood that the said Hollingshead, Platt and Co. construct a brick culvert to carry off the water from said street or alley, and that they leave a footway on the north side of said street or alley of the same width as that at present on the south side.

MR. JOHNSON as Chairman of the Paving Committee, reported an Ordinance for a culvert in Schuylkill Sixth street, of 350 feet in length, to connect with the one in Pine street, which was passed by the Common Council but was laid on the table in the Select Council.

MR. JOHNSON as Chairman of the same Committee reported an Ordinance fixing the width of foot ways in Bank street, running from Pine to Lombard, near Schuylkill, which was passed by the Common Council but laid on the table in the Select Council.

MR. KNEASS as Chairman of the Committee of Accounts offered a resolution in favour of Mrs. Lydia R. Bailly, which was passed by both Councils.

MR. JOHNSON offered a resolution in favour of the Robert Morris Hose Company, which was passed by the Common Council, but was negative in the Select Council.

The Ordinance relative to the keeper of Oyster Cellars, was postponed indefinitely.

The Ordinance relative to Muzzling Dogs, was also postponed.

MR. JOHNSON offered the following resolution, which was agreed to.

Resolved, that when this Council adjourns, it do adjourn to meet on the first Thursday of October next, and the respective committees to whom petitions and other communications have been referred be requested to report at this meeting.

ARTICLES OF AGREEMENT made and concluded this day of —, A. D. 1831, between the Mayor, Aldermen and Citizens of Philadelphia of the first part, and the Commissioners of the District of Spring Garden of the second part.

WHEREAS the said parties have respectively agreed

upon the terms and conditions following, to supply and to receive a supply of Schuylkill water into that part of the District of Spring Garden, which is incorporated therewith by an Act of Assembly passed March 2, 1827, to wit: beginning at the middle of Sixth street opposite to the middle of Hickory lane, and running thence northward along the middle of Sixth street to a point two hundred feet north of the north side of Poplar lane, thence north-westwardly parallel with and at the distance of two hundred feet from the said north side of Poplar lane to the middle of Broad street, thence parallel with Vine street to the river Schuylkill, thence by the several courses of the said river to Vine street, and thence along the north side of Vine street to the former limit of the said District of Spring Garden.

NOW THIS AGREEMENT WITNESSETH, that the said parties for and in consideration of the premises, covenants and stipulations hereinafter contained and in favour of each respectively to be kept, performed and observed by the other party, do for themselves and their successors each to the other, mutually covenant promise and agree, in the manner following, that is to say:—

*First.* That the party of the second part shall and may from time to time hereafter at their own proper cost and charge, lay and attach iron or leaden pipes of the same strength and construction with the iron and leaden pipes used in the City of Philadelphia for the time being, to the mains, branches and water pipes hereinafter particularly mentioned and described, and may to that end have the said mains, branches and water pipes stopped, on request, by the authorized officers of the party of the first part for such reasonable time as may be required, and may convey and introduce the Schuylkill water into the streets and public alleys of that part of the District of Spring Garden herein above mentioned, and thence by pipes of the same material connected with ferules of the same diameter as those used or to be used in the City of Philadelphia in similar cases into the houses and other property in the said District from the said mains, branches, and water pipes, namely:—That the said party of the second part may attach pipes as heretofore under a former agreement to the main of the party of the first part laid in Vine street between Broad and Delaware Sixth streets,—and may moreover attach the pipe heretofore by the party of the second part laid in Callowhill street to the eastern side of the twenty inch main of the party of the first part at the intersection of Broad and Callowhill streets, to wit: at a point marked A, on a plan duly attested by both parties, and filed in the office of the Watering Committee of the party of the first part, a copy whereof is hereunto annexed; and may connect branches with the said pipe, on the northern and southern sides thereof in Broad, at the points marked B and C on the said plan, for the purpose of thence supplying the said District:—And may moreover when they shall deem it expedient, attach three other similar pipes, to the northern side of the twenty inch main, laid by the party of the first part, in the year 1829, as follows: one such pipe at the intersection of Schuylkill Fifth and Callowhill streets; one other such pipe at the intersection of Schuylkill Front and Callowhill streets; and one other such pipe at the intersection of William street in Morrisville and the Upper Ferry Road; to wit: at the points severally marked D E and F, on the said plan.—And moreover, whensoever the party of the first part shall have laid a main in Vine street, from Schuylkill Eighth, to Schuylkill Front street, [which they, the said party of the first part, hereby covenant and engage to do within twelve years at the furthest, from the day of the date of these articles] may attach five other similar pipes on the northern side of such main, as follows: one such pipe at the intersection therewith of Schuylkill Second street, and others in like manner at the intersections therewith of Schuylkill Third, Fourth, Sixth and Seventh streets respectively; to wit, at the points marked G H I J and K on the said plan: *Provided however*, that

the said iron or leaden pipes so to be laid by the said party of the second part, and the stop-cocks, and other works and appurtenances thereto belonging, shall in all respects as to material, workmanship, form, dimensions and arrangement, be made like to those laid and used by the party of the first part, for the time being, and shall before being laid, be inspected and approved by an agent of the party of the first part, appointed for that purpose, and that they shall at all times be maintained in a secure and water tight condition by the said party of the second part, and that all the expenses of providing, inspecting, laying, and maintaining the same pipes, works and appurtenances, shall be borne by the said party of the second part: *And provided also*, that when such pipes shall have been laid and attached as aforesaid, the stop-cocks and connecting portions thereof shall always be kept open between the City of Philadelphia and the said district, so as to permit a free flow of water between them, except when repairs shall become necessary to the said pipes, works or appurtenances, when it shall be lawful for the said party of the second part, on demand to have the water shut off from such portions as shall need repairs:—but in no instance shall any of the stop-cocks or other parts of the works, mains, branches, or pipes, belonging to the party of the first part, be on any account opened, shut, obstructed, or meddled with, except by the duly authorized officers of the party of the first part. And that the party of the second part shall and will on or before the first day of December in each and every year, make or cause to be made in writing to the party of the first part, an accurate return of all the pipes of conduit which shall have been laid in the District during the preceding year, stating the diameter of the pipes, the name of the streets or alleys where they have been laid, and also the number and position of the fire-plugs, therein placed according to the provision hereinafter made.

*Second.* That the said party of the second part may from time to time, at their own proper costs and charges, place and erect in the streets and public alleys of that part of the said district hereinbefore mentioned, hydrants or fire-plugs, with openings for the discharge of water, of the same dimensions, and of the same materials and construction with the fire plugs used in the said City, and may connect the said fire plugs with the said pipes; and shall have the right of taking water from the same for extinguishing fires and for washing the streets and public alleys, without any charge or expense. *Provided however*, that the said party of the second part shall not, for the purpose of washing as aforesaid, take water from any such fire plug longer than half an hour in each twenty four hours, nor from more than one of the fire plugs in that part of the said District hereinbefore mentioned at one and the same time; but that they may for washing the streets and public alleys of a complete square comprehended within four principal streets running in right lines through the said District, from one side extremely to the other, or having a superficies equal to a square whose sides are each four hundred feet, draw water from two or more fire plugs for such period of time as would be equal in the whole to drawing for half an hour from one fire plug. *Provided further*, that the said party of the second part shall exercise the said right of washing the said streets and public alleys during those periods only of the year, when the party of the first part shall deem it necessary to be done in the city, and that the said fire plugs shall be used for no other purposes than those herein enumerated, except by special permission of the party of the first part or their authorized agents or officers.

*Third.* That the said party of the first part shall and will furnish to the party of the second part a supply of Schuylkill water through the same mains through which the said City shall receive it, from the attachments to be made as herein stated, so long as they shall be enabled by the works at Fair Mount to afford a greater supply of water than shall be requisite for domestic



purposes in the said City, and for cleansing the same and extinguishing fires therein, and that they shall and will extend their works at Fair Mount by means of additional wheels and pumps from time to time, as an increase of water may be required, until all the water power of the said works shall be applied for the purposes herein mentioned. *Provided always*, that in case of an insufficiency of the said water at any time hereafter for more than the above objects, to wit, domestic purposes in the said City, cleansing the same and extinguishing fires therein; then the said waters shall be used only as above stated in the said City; but while there shall be an adequate supply for these purposes, and also for like purposes in the said District, then the same shall be used in the said District as herein mentioned accordingly; and shall not be used for other purposes in the City until the District shall be supplied as aforesaid; and while there shall be an adequate supply for all the said purposes, and also for manufactories and other establishments in the said City, then the latter shall be supplied, and if there shall be a surplus of water beyond the demand of these, then the same shall be supplied to similar manufactories and establishments in the District; it being clearly understood that if the supply of water shall for any cause become inadequate for the purposes of the said City and District, then that the manufactories and establishments in the said District shall first cease to be supplied, the manufactories and establishments in the City next in order, and that if the deficiency shall continue after ceasing to supply the manufactories and establishments in the District and also in the City, then that the City shall have the preference exclusively for domestic purposes, for cleansing the same, and for extinguishing fires, and the District be supplied with water for like purposes only after the City shall have been supplied. *And provided further*, and it is hereby expressly declared and agreed, that the said party of the first part shall be at liberty at all times hereafter to make contracts with any and all of the neighboring Districts, for supplying them with the said water, and that in case at any time hereafter, there shall fail to be a full and sufficient supply of the said water for the use of the said City, and of all the Districts with which there shall at the time being exist contracts for supply, that then and in such case a proportional distribution of the water, after supplying the City, among the said Districts upon the principle aforesaid, shall be deemed and taken to be an execution of this agreement. *And it is further agreed and understood*, that no temporary failure of supply occasioned by repairs or alterations of the works, or by laying new mains or pipes or the like, or by casualties, shall be considered as any violation of this agreement.

*Fourth.* That the said party of the second part shall at their own proper costs and charges, appoint and employ an officer who shall in behalf and in the name of the party of the first part, issue permits signed by the said officer, and countersigned by the Chairman or Register of the Watering Committee of the City Councils, or by such person or persons as the said Councils, or the party of the first part shall for this purpose from time to time appoint, authorizing the introduction and conveyance of the said water from the pipes in the streets and public alleys of the said District, into the houses and premises of persons who shall apply for the same, and that the said officer shall keep a book in which he shall at the time of granting any such permit truly register the same, with the name of the person or persons to whom granted and the situation of the premises for which the same is to be used; and that every such permit shall state the same to be in conformity with and subject to the provisions contained in this Agreement, and shall further state and describe the diameter of the ferule of the pipe to be used for conveying the said water into the particular houses or premises designated, which diameters of the ferules of pipes shall be the same as the diameters of the ferules of pipes in similar

cases used in the said City. And that the said officer shall, at the expiration of each calendar month in each and every year, furnish to the Register of the Watering Committee aforesaid, or to such person as the said Councils of the said party of the first part may appoint, a true and perfect transcript from the said book of every permit granted as aforesaid, with an account of the persons who during the said month have declined to continue to take the said water, or have been deprived thereof after its introduction into their premises; and in no instance whatever, shall the said water be introduced into the houses or premises of any person in the said District, until permits shall have been signed and countersigned as aforesaid; nor until the rates shall have been assessed by the said Watering Committee, or other person or persons authorized by the party of the first part, on the same principles as they shall be assessed in the said City, with the advance hereinafter mentioned and stipulated.

*Fifth.* That each and every person into whose premises the said water has been or shall be introduced within the said District, whether for domestic uses, baths, manufactories or establishments of any other kind, (excepting such persons as may be included in the provisions of the agreement made on or about the 1st June 1829, between Thomas Hale and John Moss, on behalf of the party of the first part, and Henry J. Williams, Esquire, for himself and others proprietors of the Morrisville Estate so called, and excepting such others as may be included in the provisions of a certain arrangement made on or about the 1st of December 1830, between the Watering Committee of the party of the first part, and the Commissioners for the erection of a state penitentiary within the City and County of Philadelphia, and excepting none others), shall pay for the same an annual rent therefor, exceeding in each and every case by fifty per cent, the annual rent paid in similar cases, by persons within the City of Philadelphia, for the time being; it being the true intent and meaning of the parties, that the water rents in the said District, shall rise or fall from time to time with those in the City, always, maintaining nevertheless, an advance of fifty per cent, as aforesaid. *Provided always*, that when the water introduced into houses, courts and other property, shall be conveyed to a cistern and be used therefrom, exclusively by means of a pump, the rate of rent shall be one-fifth less than if used from hydrants, or other fixtures operated upon by the pressure or head of water through the pipes of conduit. *And provided further*, and it is hereby expressly agreed, that the said water rents shall be due and payable in advance on the first day of January in each year, and that the rent for the unexpired part of any year in which a permit as aforesaid shall be obtained, shall be paid to the officer countersigning the permit on behalf of the City, at the time of obtaining the same; and that on or before the first day of June in each and every year thereafter, the said party of the second part shall and will pay to the party of the first part, the full amount of the water rents due and payable as aforesaid, by the persons supplied with water in the said District, and shall at the time of such payment be entitled to deduct at and after the rate of six dollars in the hundred from the amount so payable to the City, as an equivalent for expenses of collection, and losses by the said party of the second part in the collection of the rents. *Provided further*, that in all cases where the water is directed to be stopped by reason of an insufficient supply from the works at Fair Mount, that then and in such case the rent shall cease from that time, for such persons, manufactories and establishments as shall not be supplied with the same until supplied again by the party of the first part, and shall be allowed for accordingly, in the settlements between the parties hereto; and that in cases in which, without wholly stopping the water, there shall for the cause aforesaid be a partial supply, in such case there shall be a proportional abatement of the said rents du-



ring the time of such defective supply to be allowed for as aforesaid. *And provided further*, and it is hereby expressly agreed that if the party of the first part, should at any time hereafter agree to furnish a supply of water to any other District at a lower rate than is stipulated in this agreement, then and in that case the rate of rents herein stipulated, shall fall or be lowered to the same rate, as that of such favoured District, during the time that such reduced rate shall be in force.

*Sixth.* That the said party of the second part, shall and will forthwith pass enact and carry into execution laws, by-laws, ordinances, or other legal regulations similar to and corresponding with the ordinances now in force within the city of Philadelphia, to regulate the distribution and to prevent the illegal use and the improper waste of the said water in the District aforesaid, and to prevent the supply thereof by a person having the same introduced into his premises to any person or persons who have not; and that they shall and will from time to time pass enact and carry into execution other sufficient ordinances for the like purpose; and that they will also forthwith pass and enact and for ever keep in force, a law, by-law, ordinance or other legal regulation authorizing the agent or agents of the party of the first part from time to time appointed, to enter at all reasonable times into the said District, and the premises therein into which the said water shall be introduced or where the pipes of conduit may be laid, for the purpose of examining the same, and to prevent and remedy any waste of water, or any violation or infringement of this agreement.

*Seventh.* That the said party of the first part shall at all times hereafter, in addition to their other legal remedies for breach of this agreement, have full right and power to stop off and withhold the supply of water hereby stipulated whenever the said party of the second part shall for the space of thirty days after the time when the said rents should be paid by them as aforesaid, and after notice in writing by the party of the first part or their agents to pay the same neglect or refuse to make such payment, and also whenever the said party of the second part shall after notice in writing refuse or neglect forthwith to remedy any illegal or improper waste of the said water within the said District, or to stop the proper conduit until the requisite repairs or other remedy shall have been applied.

From the Reading Chronicle.

#### ON TAXES AND PUBLIC DEBT.

In order to lay before the people a correct view of the taxes, and the operation of the public debt, we subjoin the following statement, for whose correctness we refer to the official papers as filed in the proper offices.

To make this representation intelligible to the people, it is necessary that we should reason from analogy; and we, therefore, refer to the direct tax, as levied and paid immediately after the late war, and which is recent enough to be within the recollection of every one.

The quota of Pennsylvania of the tax, was \$739,958-32; and of this, the quota of Berks County was \$50,000, nearly, or the one-fiftieth part of the whole.

The public debt, by the time we are to commence paying taxes for its reduction, will amount to \$20,000,000, or thereabouts. For, we say it is at present \$16,500,000, and by the time that another loan is taken to pay the interest, to repair the works as they were in the spring, and to complete what is considered most essential, the aggregate of debt will amount fully to \$20,000,000. Now, if we make the same rateable assessment which was made in 1816, namely, put the one-fiftieth part on this County, we will have to pay \$1,333,333 and 33 cents, 539,375 01, more than was then paid by the whole State!

If we will examine a little further, we will find that the interest on this quota is, at 5 per cent. yearly, \$66,666 65, \$16,000 more than was paid by the County in the year 1816!

We would, in order to place the whole matter before the public, subjoin the assessment, as it was returned to the State, required by the late tax-bill. The real estate of the County is assessed at \$7,316,118, and the personal at \$852,730. From this statement, every one will be able to judge for himself, what purposes the tax of one mill on the dollar is to answer. This assessment will raise the sum of \$8,193 84—which is something less than the one-eighth part of the interest on the public debt of the country. Now, we would ask—Where is the rest to come from? Instead of one mill, the Legislature ought to have put eight mills on the dollar, *merely to raise the interest on the public debt—53 mills more on the dollar than the County taxes amounts to now!*

This we consider to be a frightful representation of the state of the public affairs, and we can honestly say that, on examination, we found them more appalling than we had believed them to be.

From the Westmoreland Republican.

The State tax upon real and personal estate in Pennsylvania commences in October next. The near approach of this event, so unusual in the history of the State, naturally excites inquiry as to the amount of the State debt, and the probable continuance and increase of the state taxes.

*The Public Debt consists as follows:*

Old appropriations, unpaid as per report of Auditor General, at the last session of the Legislature,	\$150,860 35
Amount of loans prior to the last session, 12,512,520 48	
Amount of loan authorized by act of March 21st, 1831,	2,483,161 38
Amount of loan for "repairing canal, and paying expense of Superintendents, Supervisors, Collectors, and Lock keepers," by an Act of 30th March, 1831,	300,000 00
Deficiency of revenue of last year to pay interest on loans,	191,850 00
	\$15,638,392 71

Total amount—*Fifteen millions six hundred and thirty-eight thousand three hundred and ninety-two dollars and seventy-one cents!!* But to make the matter a little more plain, we will bring it nearer to ourselves. Taxation and representation are as equal as may be. We have, however, no other statistical data, from which we can ascertain so closely what the share of Westmoreland County in this public debt will be, as from the ratio of representation: there are one hundred representatives in the lower House, and thirty-three in the Senate.—Westmoreland County has three in the former, and one in the latter; her ratio of representation, is, therefore, one-thirty-third of the whole State, and that will be, as near as possible, her ratio of the public burdens. According to this data, the share of Westmoreland County, of the State debt, will be \$473,890. The annual interest upon which sum, is \$28,433 40. But we may bring the matter still nearer home. A farmer whose tax last year was three dollars for the County Rates, to raise the amount of \$6,900, which was the amount assessed, would have to pay \$205 as his share of the State debt. It may, therefore, be considered as a mortgage on his farm to that amount, carrying interest until the debt is paid off. Many farmers had to pay six, and some eight dollars, and some higher, for last year's County tax; but every one can tell how much his share of the State debt is by this rule; viz. for every dollar of County tax paid last year, his share of the State debt is \$68, 33 2-3. But who can tell how much it may be increased? Last session of the Legislature it was increased near three millions; and we are now at that crisis, when it will increase itself just like the debts of a man whose business is not profitable enough to pay the interest.

Last year the interest on the public debt was \$616,850, and the surplus revenue, after paying the ordinary

expenses of Government, was \$425,000, which, being applied to the payment of the interest, left a balance of \$191,850 to be added to the principal. The loans of last year, as above mentioned, greatly increase the principal, and the interest of the debt this year, at 5 per cent., will amount to \$781,916 60; and, supposing the revenue for this year to be as great as it was last year, which may well be doubted, for reasons not necessary to state, there will be \$425,000 after paying ordinary expenses, to apply to the extinguishment of the interest, leaving a balance of \$356,919 60 to be added to the principal. I have no data from which to form an estimate just now of the amount that will be produced by the tax which will commence in October next, on real and personal estate. But that cannot come into the Treasury this year, so that, at the end of this year, *even if no new loans* should be authorized by the Legislature at their next session, the State debt will amount to upwards of sixteen millions of dollars. The tax which will commence in October, I should suppose cannot produce more than \$150,000; so that the next Legislature will have to increase this tax upwards of \$200,000, in order that the revenue may be competent to pay the interest upon the debt.

### THE FIRST BORN—JOHN KEY.

The following facts concerning the persons severally named, are not intended as their proper biography, but as slight notices of individual character, which might be usefully preserved. As a general list, it will embrace alike, noble or ignoble—not a roll of merit, but of notoriety, to wit:

John Key, "the first born" of our city, of English parentage, was born in 1682, in a cave at "Penny-pot landing," i. e. at the north west corner of Vine and Water street. William Penn was pleased to distinguish the person and the circumstance, by the gift of a city lot; the original patent of which is in my possession through the politeness of George Vaux, Esq. The tradition of the spot granted was utterly lost to common fame; but this patent shows its location to have been on the south side of Sassafras street, nearly opposite to Crown street, say *vis a vis* to Pennington's sugar house.

The parchment and seal are in fine preservation.—The seal is flat, circular, four inches wide, of brown wax, appended by a green ribbon. It may be curious to preserve the following abstract, to wit: "William Penn, Proprietary and chief of Pennsylvania, sends greeting, &c. that a certain lot of ground between the Fourth and Fifth streets, bounded on the north by Sassafras street, &c.—in breadth 49½ feet and in length 306 feet; first granted by warrant from myself bearing date the 20th day of 3 mo. 1683, unto John Key, then an infant, being the first-born in the said city of Philadelphia," &c. The patent to confirm the warrant aforesaid, is dated the 20th of July, 1713; the first-born being then a man of 31 years of age. The lot it appears he sold at the age of 33 years (say on the 24th of May, 1715,) to Clement Plumstead; and the latter in 2 years afterwards, sold it to Richard Hill for only twelve pounds! This he joined to many other lots, and made of it "Hill's Farm." Further particulars may be read in my MS. Annals in the Historical Society of Pennsylvania, page 50.

This notable first-born lived to good old age at his home in Chester county, and was accustomed to come occasionally to the city, always walking the streets with an unusually active step, although necessarily wondering at the changing scenes he constantly witnessed.—Considering that he only died, in his 85th year, as late as the year 1767, (July) persons must be still alive who must have heard him talk of those things! When the hospital was founded in 1755, he was present by request to lay the corner stone!

It was remarkable that the same year (August 10th, 1767,) was also the year of the death of "the first-born" child in the province of English parents, born 1681, one

year before John Key, in a cave by the side of the Delaware river. This venerable man of 86 died at Brandywine Hundred, Emanuel Grubb by name. He was active and vigorous to the last, and actually rode to Philadelphia and back on horseback, equal to 40 miles—only a few months before his death. His habits were temperate, never drinking any ardent spirits.

As those two venerable "first-born" lived both near Chester, they had means of intercourse; and strange must have been their several emotions in talking over the years of improvement which they have witnessed down to the year 1767! What a feast they might have afforded to younger minds!

But another and a still earlier first-born, than either of the preceding, dwelt also in their neighbourhood, in the person of Richard Buffington, (son of Richard) he being "the first born Englishman in Pennsylvania, having been born in what was afterwards 'the province,' in the year 1679. The facts in his case were peculiarly commemorated in the parish of Chester on the 30th of May, 1739; on that day the father, Richard, having attained his 85th year, had a great assemblage of his proper descendants, to the number of 115 persons, convened in his own house, consisting of children, grandchildren, and great-grandchildren—the first-born being then present in his sixtieth year.

These affections and respects to "first-borns" were alike commendable and natural. They possessed a peculiarity of character, and a relationship to things around them, which none others could enjoy, or even share with them. They were beings by themselves—alone! Others also have had and signalized their *first born*! The New Yorkers had their *first-born*, in the person of Sarah Rapaelje, born in 1625, and the maternal ancestor of the Bogerts and Hansens. When she became the widow Forey, Governor Stuyvesant, in consideration of her birth, granted her a valley of land near the city. The Virginians had theirs, and such was their respect to him, that in the case of his rebellion, his life was spared to him, and he lived to be 80 years of age. Our sister city Baltimore, honoured their *first-born*, in the person of Mrs. Ellen Moale, who died in that city in 1825, in her 84th year—she having been the *first-born* white woman in that place. Strange it was, that she in her own person could say of such a city as Baltimore, that she had seen it first covered with woods, then become a field, next a village, and last a city of 70,000 souls!—*Watson's Annals*.

From the Germantown Telegraph.

### DIVISION OF THE COUNTY.

At a numerous meeting of the citizens of Roxborough township, Philadelphia county, held pursuant to public notice at the house of the widow Levering, on Tuesday evening, Sept. 6th, for the purpose of taking into consideration the subject of a division of the present county of Philadelphia, Samuel Gorgas, Esq. was called to the chair, and C. V. Hagner appointed secretary.

The object of the meeting having been stated from the chair and the proceedings of a meeting of the citizens of Germantown on the subject, together with a circular from a committee appointed at that meeting having been read, Mr. H. G. Jones after a variety of ingenious remarks in favor of a division, offered the following resolution, seconded by Mr. John Hagy viz:

Resolved, That it is expedient for the township of Roxborough to appoint delegates to meet the county convention, and that they be instructed to promote the separation of the county of Philadelphia from the city and the erection of a new county out of part of the county of Philadelphia, which, after a full discussion, was decided in the negative.

C. V. Hagner, seconded by Mr. J. Rush, then offered the following resolution which passed with but two dissenting voices, viz,

Resolved, That from a view of the facts laid before

this meeting, we consider a division of the present county of Philadelphia inexpedient and highly impolitic.

On Motion of Mr. T. B. Barrach, seconded by Mr. G. W. Smick,

Resolved, That the proceedings of this meeting be published in the Germantown Telegraph and the Philadelphia papers, and that the secretary be directed to furnish a copy thereof to the convention of delegates from the other townships.

SAMUEL GORGAS, Chairman.

C. V. HAGNER, Secretary.

#### BEAVER COUNTY.

The importance of this section of country is becoming every day more apparent. The Falls of Beaver attract the attention of the Manufacturer, and the Mechanic. The number of buildings erected along the Falls, the present season, is unprecedented in the history of the county. The growing importance of these Manufactories is becoming every day more interesting to the public. We have lately examined a variety of cotton fabrics manufactured by JAMES PATTERSON, Esq. at the Brighton Factory which were superior to any we have seen in market, both as regards colours, texture and firmness of the fabrics. The manufactory of substantial goods will soon bring the name of our Factories into repute abroad, and we have no hesitation in saying that in a very few years, Beaver Falls will be the Manchester of America.

Major THOMAS BIDDLE, whose untimely death the community are now called upon to deplore, was in the 41st year of his age at the time of his decease. During the last war, Major Biddle was an officer in the army, and served as captain of the artillery, during the severe campaigns of 1813 and 1814, on the northern frontiers. He was in a regiment under the command of Gen. Scott, and acted a distinguished part at the capture of Fort George.

At the commencement of the battle of Chippeway, a picket guard under the command of another officer, had been routed and were running away, when they were rallied and led back to their post by Captain Biddle, in a way which elicited the marked applause of the commanding general. At the battle of Lundy's Lane, one of the most murderous conflicts of modern times, he particularly distinguished himself, by bringing off the field the only piece of the enemy's artillery, which was retained by the Americans, as a trophy of the hard fought battle. The identical piece is now, we believe, preserved at Washington, bearing an appropriate inscription commemorative of the gallantry of its captor.

At the siege of Fort Erie, and during the memorable period of gloom and despondency, Captain Biddle rendered himself as conspicuous for his persevering firmness and fortitude while shut up in the fortress and surrounded by a numerous and exasperated foe, as he had formerly done for his active and energetic courage. His companions in arms, still remember and delight to commemorate the efficiency of his services at that critical period.

After the conclusion of peace, Captain Biddle was brevetted with the rank of Major, which rank he held, together with the office of paymaster in the United States army, at the time of his decease. Major Biddle removed to this city many years since, and has ever been considered one of its most active, intelligent and enterprising citizens. Prompt and decided in his conclusions, and justly relying on the convictions of his own judgment, if he sometimes erred, it was the lot of humanity; and few men could lay claim to more originality of character and vigor of intellect than he. To his honour as a soldier, and his fidelity as a friend, his numerous surviving acquaintances can testify; and to his devotion as a husband, the sorrows of a heart broken widow bear melancholy evidence.

That such a man should fall a victim to those false notions of honor, which are, alas! so prevalent, cannot be too deeply regretted. And we do most fervently hope, that we may never again witness such another tragedy as that which has deprived us of the gallant and lamented BIDDLE.—*St. Louis' Times.*

DIED, at his residence in Millerstown, on Friday the 2d inst. John Reid, Esq. in the 86th year of his age. He was born in Chester county, Pa. in 1746. In 1751 he, with his father removed near to this place. In 1776 and '7, he, and six brothers, shouldered their rifles and muskets, and marched to the battle field in defence of these natural rights and privileges which we now enjoy. In 1784, he with his family removed to near the town of Huntingdon, (then in Bedford county) and remained there four years. During that period, great opposition was manifested against the adoption of the Federal Constitution, in that county, a mob of 4 or 500 armed men marched to the town of Huntingdon to resist its adoption, and to wreak their vengeance on John Cannon, Esq. who was one of the Members of the Convention that framed the constitution. At this time, he, with a small band of patriots, armed to resist their aggressions, and protect Mr. Cannon from their fury; and, through their influence and address, dispersed the mob, who had committed no other acts of violence than burning the effigies of Mr. Cannon and some others. In 1788 he again removed to near this place.—In 1807 or 1808 he held the commission of Magistrate, and executed its duties until 1822, when the infirmities of age rendered him unable to attend to any of the ordinary concerns of life.—*Gettysburg Compiler.*

A MAMOTH CUCUMBER.—Mr. JESSE JAMES, of Westtown brought to the office last Saturday, a cucumber, so large that a string passed round end-wise, measured 28 inches—giving 14 inches for its length; in circumference it measured 13 inches. It was remarkably handsome in shape.

A lady too, LYDIA MERCER, of Westtown, has been pleased to send us a specimen of onions, remarkably fine. One measured 12½ inches round, the loose outer coat having been taken off. We never saw finer. The Weatherfield ladies could not beat them.—*Village Record.*

We observe by an advertisement, that the Lehigh Navigation Co. offer for sale, the following water power and Town Lots.

"At Easton the power of the whole river Lehigh, except what may be necessary for the navigation, with a twenty-two feet fall, is located near the junction of the Lehigh, the Delaware, and the Morris canals—in the immediate vicinity of the best iron ore—46 miles from the Mauch Chunk coal landing—80 miles by canal from Philadelphia—and 96 miles from New York. The town has nearly 4000 inhabitants, without a single cotton or woollen factory, to employ the juvenile population.

A variety of Building Lots in the Town of Nesquehoning.—This town is situated in the Nesquehoning Valley, within half a mile of the coal mines on Room Run—4½ miles by a railway from the coal landing at Mauch Chunk—40 miles from Cattawissa and 30 miles from Berwick on the Susquehanna. The ground is very favorable for a town plot, and a number of buildings are already erected.

Lots in Mauch Chunk on both sides of the Lehigh, on advantageous terms and free from all restrictions.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

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EDITED BY SAMUEL HAZARD.

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PHILADELPHIA, OCT. 1, 1831.

NO. 196

From the Bucks County Republican.

## ESCHEAT COURT—REYNOLD'S CASE.

[CONTINUED FROM PAGE 198.]

Mr. Morris said—There are a few preliminary questions which should be considered before we go into the merits of the case. 1st. It must be proved that John Reynolds is dead. 2d. That he died intestate: Thirdly, Without heirs or known kindred: and, Fourthly, That he died seized of these lands. Some of these are matters which you may be told, you are to presume from circumstances; but I ask, will you not insist upon the evidence before you seal your verdict, which is to be taken as true, and which will affect so large an amount of property? I admit the *probability* that the man is dead; but the mere lapse of the time since the date of the Patent, is not all the proof which I should suppose you would require on this point. But it is a more important and difficult question for you to determine—Did he die intestate? He may have left a will, and it is incumbent on the informer to show that he did not. We have no proof that he died intestate. We have had certificates, it is true, from the Register here, and in Philadelphia: but these are imperfect and inconclusive, because they only certify that "there is no will on record" in either of those offices, without referring to the files; it is quite a possible case, therefore, for the will to have been filed in the office, but not "recorded;" or if recorded, that record may be lost, since the Registry of Wills in this county does not go much, if at all, beyond the year 1723. But suppose those objections removed. John Reynolds, who was probably never in this country, may have left a will in England, proved according to the laws and usages of that country, which would be received in evidence here, under the authority of the *Lessee of Weston, v. Stammers*, 1 Dall Rep. p. 2, and *Morris' Lessee, v. Vandereen*, same book, p. 66; and if so, you cannot take for granted, in the absence of all affirmative proof, that he died intestate: yet you must find this if you say the lands have escheated to the commonwealth. It is necessary, also, that you find that he, John Reynolds, died without heirs or known kindred. [Here the remarks are omitted, tracing from the patentee, J. Reynolds, the heirship of the former from his own declarations, and from the church records in England, together with the probability of heirs.]

In the Fourth place—Did he die seized of these lands? The argument on this point, which is omitted in detail for want of room, was, that the mere existence of an old Patent in J. Reynolds was of little consequence, unless the land could be found to correspond in description with it. It was contended that for a portion of this land, Patents had been shown out of the Commonwealth subsequent to John Reynolds, and that there was no criterion by which to Escheat any part without the whole, the Patent was said to be vague, and to give no boundaries by which to identify it with the land now claimed. It was contended that both as to title out of the Proprietaries, and as to conveyance from J. Reynolds, the records may have been lost in the Land Office, as well as in the offices of the county, and if there was any defect in the evidence on the part of the Respondents, or landholders, by lapse of time, the misfortune should not be visited upon them, since they had not caused the delay; and that, at all events, the *onus* of

proof lay upon the informer, and to each specific point required by the law, otherwise the whole issue must be negatived.

I cannot but suppose, gentlemen, that we should be safe in resting our defence upon these points, which are made essential by the Act of Assembly; but there are yet impediments and objections to finding of an Escheat, which I take to be insuperable, and from which, I imagine you will see the case as clear as demonstration can make it, that the former can take nothing by his plaint.

These objections may be resolved into two leading questions:

1st. Have the Proprietaries, or has the Commonwealth, done any act that amounts to a direct or implied waiver of their right to the Escheat, as by accepting *rent* or *consideration* for purchase from strangers who have taken possession?

2d. Have the occupiers of the land acquired a *vested right* in the land, by *contract, occupancy, improvement*, or otherwise?

If the Proprietaries, or the Commonwealth, have assumed ownership of the land; if they have received rent; if they have taken upon themselves to convey it; if they have in any manner, given a color of title or right to strangers, or the predecessors of the present holders, the question is at rest: for the law says, they have by their own act thrown into another channel, the inheritable quality of the property; they have, by their own act, interrupted, or rather anticipated, the reservation of the property in themselves, by acknowledging the title, or the receipt of an equivalent for it. For this principle, I refer to the 2d vol. of Black. Com. pages 247, 8, where an explanation is given of the nature and doctrine of Escheats.

The question then occurs: What have the Proprietaries or the Commonwealth done to waive their right to the proceeding by Escheat? The answer is in a variety of ways. (The remarks are omitted, but the points were.)

1st. By living by and acquiescing until the possessors had obtained a right by occupancy, improvement, and intermediate titles.

2d. By their own act and deed; as for example, granting several patents, and recognizing the surrounding lands as belonging to the holders thereof; and by receiving, partly, the purchase money.

3d. By the letter of James Steel, Secretary of the Land Office, dated in 1739, which authorised a superintendence of the lands on behalf of the Proprietaries, and requesting submission to the conditions under the penalty of removal.

4th. By issuing Escheat warrants to the occupants in the year 1769. Granting the pre-emption of right.

5th. By the decision of the Board of Property of the 2d March, 1784, and 1794.

But I come now to a still more important inquiry, by which the title to all property is tested; that is, whether the occupants of these lands, or those under whom they claim, have acquired a *vested right* to them by any means whatever? If the property in question has vested, it is not competent for the Commonwealth, any more than an individual, now to divest it without consent or an equivalent. This is among the safest and best elements of your civil jurisprudence. It is a principle in which lawyers, jurists, and legislators, so far as I know, agree. It is a principle guaranteed to us by the

Declaration of Rights, of 1776, by that of 1790, and the Constitution of the United States. If, therefore, you should be satisfied that this property has gone into the hands of the present occupants, or their predecessors, any law authorising an Inquest of Escheat upon it would be unconstitutional, and any proceedings of an Inquest to that effect, would be oppressive and void.

I do not know that it is necessary for me to examine whether the statute of Henry 8th, of England, which extends to this country, and makes the possession of sixty years evidence to title, applies to the present case; or whether our own act of limitations would bar a recovery, since the changes and fluctuations which took place under the Proprietary Government, may present a question somewhat different from that rising under ordinary sovereignties in relation to Escheat. But upon the subject of *possession*, and the right that accrues by it against even the crown, and the government, it is not out of place to refer to the condition of the Province, and the mode of granting titles to the early settlers, for the purpose of educing the conclusion, that the occupants acquired a title subsequent to the date of the patent, to John Reynolds. In the month of October, 1708, the Proprietary executed a mortgage upon the Province, by which of course, the legal title passed into other hands. In the year 1711, he appointed Commissioners, who were empowered to collect rents, grant lands, and superintend his estate. The will of William Penn, was dated 1712, which was after his death contested. He died in 1718; and although there is some diversity of opinion upon that subject, yet the prevailing opinion seems to be, that from the period of his decease, until the year 1732, the land office was closed; and that previous to this date, no regular system had been obtained in relation to the granting of titles to lands in Pennsylvania; much regard was paid to the verbal agreements of land officers and agents.—Great weight and importance were given to improvements. It was the policy of Penn to get the Province settled and improved by the early occupants; hence he thought proper, so early as the year 1681, to make certain conditions or concessions, that the grantees should settle upon the lands within *three years* after it should be surveyed and set out to them, or it should be lawful for new comers to settle thereupon. Those terms, which were publicly made known, we consider entitled to much weight in the present investigation. The Warrant was taken out in the name of one Whitepane, in the month of February, 1687, and in the month of May, of that year, the Patent to John Reynolds is dated; but a little more than two months elapsed between the Warrant and the Patent; and, from this fact, together with other circumstances, we may reasonably infer that Reynolds never was in this country; that he never settled the land, agreeably to the original concessions, and consequently, that he forfeited his interest, and the title passed from the Proprietaries into other hands.—The remarks of the Counsel are not followed in this place, but it was argued that the letter of James Steel to William Blackfan, of 1739, was evidence of a previous grant to the settlers from the Proprietor. To this purpose, 1 Dall. Rep. p. 6, and 2 Dall. p. 98, was cited; it was contended that the Patent to Robert Strutle for 500 acres adjoining, and the Patents for a part of the Reynold's Tract, together with the Escheat Warrants granting the right of pre-emption, negated the presumption that any right existed at this day in the Reynolds family; that the offer of parol testimony upon the subject, by one of the most intelligent inhabitants of the neighborhood, now 87 years of age; that the settlement and decision of the Board of Property, by which the long possession of the holders, and the transfers and conveyances of these lands from one to another, were recognized, and by which this property was adjudged to the occupants upon the terms stipulated,—should at this day be final and conclusive against an Inquisition of Escheat in favor of the Commonwealth. That if there was an allegation of non-compliance with

the terms, this was not the tribunal before which the holders could be amenable, nor this the mode of redress for any supposed delinquency; it was thought, sufficient for the day is the evil thereof.

Upon the subject of length of possession, independent of any statute or act of limitations, and independent of the evidences of title; it was strongly contended that quiet possession and improvement for the length of time which had been proved in this case, would secure a right of property against the world, against the crown, and against the sovereign power of the state. That even in England, where the records were more secure than they had been in this state, a grant would be presumed from great length of possession against the crown, and against a previous grant;—not that it was necessary for the jury to believe that a grant had actually been made, but it was on the principle of quieting possession, and settling the rights of property. In support of this position, two cases were cited and read from Cowp. Rep. the one, *The Mayor of Kingston upon Hull, v. Horner*, p. 102; and the other, *Eldridge, v. Knott and others*, p. 214, which were considered to be in point, and to be authority in the case. If this were not the case, it was that length of possession, instead of benefitting, would work an injury to the possessors; because the evidence which at an earlier period might have been brought in support of the title, would be worn out by time, and lost to the purpose for which it would once have been conclusive.

It was now urged as pertinent to the inquiry, that as between individuals, if there was long *possession* and *improvement*, or *consideration* paid, it was no matter whether the right accrued by writing or *parol*, it was such a passing and vesting of property, as would take it out of the statute of frauds, and constitute a good title. To this point, 1 Binn. Rep. 378; and 1 Sergt. and Rawle Rep. p. 80 were cited, and it was contended that in this particular, the analogy would hold as well concerning the Commonwealth as individuals, and that a different effect would operate as a fraud and a deception upon the holders, who had been lulled into security by length of time, and in many of the instances had paid a full consideration for the land to those from whom they had purchased.

The argument of public *inconvenience* was pressed before the Inquest, and the consequence again adverted to of setting the example by this case of uprooting the oldest titles in the State; it was said to be giving encouragement to any informer of mercenary and corrupt designs to call together at his own caprice the citizens and yeomanry of the country, as parties, witnesses, or jurors, to establish or disturb the possessors of a century: and finally, in this case, the conduct of the informer was left to be settled between his conscience and his God, and the Jury were asked to reflect upon their obligations, and decide according to the merits of the case.

(To be Continued.)

The following case being of some considerable interest, from the nature of the facts disclosed, and the importance of several points of law which were decided upon, a gentleman of the bar, at our request, has politely furnished a report of it.

COM. v. MAHLON HALL, SMITH PARKER, MOORE M'CLOUD, and ALEXANDER PRICE.—Riot and Assault and Battery on B. Heston.

COM. v. CURTIS TREGO, JOHN TITUS and THOMAS D. WOOLFE. Riot and Assault and Battery on B. Heston.

These were the only criminal cases of much interest tried at the Court, or which occupied much time in the investigation. The circumstances leading to these prosecutions had created great excitement in the minds and feelings of the people of that part of the County in which they happened. The principle facts were as follows:

About eight years ago last spring, Mahlon Hall, one of the Defendants, at the instance of John Griffith, rented the farm and certain personal property of the latter,

—situated in Buckingham township, near Pineville, for the term, as Hall alleged for the life time of J. Griffith and his wife, or the survivor of them, at which time Hall was to deliver up the farm to the Executors or Administrators of Griffith, and account with them on certain terms for the personal property, the improvements made by him, &c. Which allegation was denied by Griffith. In pursuance of the agreement, Hall took possession and continued in possession undisturbed until last spring, when application was made, under the Landlord and Tenant Act, to Justices Shaw and Dungan, of Doylestown—a Jury of twelve men summoned and sworn—the parties heard by themselves and Counsel, Grantham for Landlord, M'Dowell for Defendant, and the said Jury and Justices by their requisition decided, that the "Term of Mahlon Hall in the premises aforesaid, was not fully complete and ended," and so returned their proceedings in favor of the Tenant. A *certiorari* was issued, and the inquisition aforesaid brought before the Court, April Term, last—various exceptions filed and fully argued at the same time by Grantham and A. Smith for the Landlord, and M'Dowell for Hall. The Court held the same under advisement until the present term. Directly after April Court A. Smith, one of the counsel for Griffith, gave him written directions to go on the premises, and put the aforesaid B. Heston in possession of the same real and personal, and to prosecute Hall, if he attempted to exercise any rights of possession over the same. Griffith in pursuance thereof, on or about the 4th of May last, goes with Heston to Hall on the premises, and tells him in the presence of others, and tells Hall that he had thereby put B. Heston in possession of the farm and stock aforesaid, and that he, the said Hall, had no longer any rights there, and read to the said Hall a part of the aforesaid written directions. Hall ordered them off of the premises, and threatened them if they did not go—they, however, after performing this ceremony, proceeded to take an inventory of the goods and chattles, &c. which he had in possession, in pursuance of his agreement. A few days after, the aforesaid Heston arrived with a wagon load of goods, and attempted to put some of them into the house—Hall resisted, and called for assistance, but between Griffith and Heston he was overpowered, and Heston got in. Hall constantly forbid him the house, and ordered him to leave the premises. Heston and Griffith together forbid Hall in turn the premises, possessed themselves of his stock, farming utensils, &c.—and otherwise obstructed the said Hall in his business. Various suits, civil and criminal, were instituted between the parties and privies—great excitement created in the neighbourhood, and much disorder and bad feeling ensued. On the 4th day of June past, Heston had got into the house, and there was determined to remain. Hall procures the assistance of the Defendants named in the first Bill and some others, and went into that part of the house where Heston then was, and ordered him out, and told him if he did not go they would carry him and his goods all out.—Heston refused—the defendants aforesaid and their assistants fell to carrying out his goods, and he not retreating by invitation, was finally picked up and carried out also, with his goods and set down in the highway. In the struggle between the parties, a good deal of violence and force was used on both sides, and when Heston and his goods were carried out, indication on the part of Hall was shown of a determination to defend his possessions at all hazards. Griffith is without children—and Hall and Heston, the contending tenants, are relatives—the one by a former, and the other by a present wife.

Hall and his party were bound over for a riot, growing out of the proceedings above detailed, and the main question turned upon the possession of parties. Hall, it was admitted, was properly in possession up to the first of April last—at that time Griffith alleged his term was ended, which Hall denied, and which denial

was sustained by the decision of the aforesaid Inquest. Griffith had rented the property to Heston, and was to have given possession on the first of April, which he was anxious to do.

The case was elaborately argued by the counsel on both sides. For the Commonwealth Smith and Pros. Attorney, Ross—for the Defendants, M'Dowell and H. Chapman.

His Honor Judge Fox, delivered a brief, but clear and forcible charge to the jury, in which he simplified and arranged the facts of the case, so as to curtail essentially their labor. In the law which was to govern the case, he was decided, and explicit, and laid down in substance, the following principles:

Your inquiry is whether these Defendants are guilty of a Riot and Assault and Battery on Heston.

The carrying away Hall and his goods forcibly, as was done by these Defts. is in itself a riot, unless they were justified in doing so.

The fact of doing so is not denied by Hall, but he says he had a right to do so.

If he had the possession, he had a right to use whatever force was necessary for him to keep it.

When a man is once in possession of land, he is not to be put out by force.

Had Hall then the possession? It is agreed all round that he had the possession eight years, and Griffith himself states in his affidavit, that he was in possession rightfully up to the first of April last.

Then, has he since that time parted with his possession? How did B. Heston get possession? Was Hall put out of possession by him? Both were in possession—one or the other was an intruder. When Griffith first came, as he said, to put Heston in possession, Hall told them positively to go off. Their goods were forced into the houses, and Hall resisted with all the force he had, but he was overpowered.

I have said he had a right to use such force as was necessary to keep him in possession, and if Hall on the instant of Heston's forcing himself into possession, had blown his brains out, he would have been justified.—A man has a right to defend his possession even unto death.

But it is contended, that Heston having once got in, even by force, and having remained there for one month or more, Hall had no right to turn him off by force.—If Hall was never out of possession, and did not acquiesce in Heston's possession, he had a right whenever he could command sufficient power, to proceed and force him off.

If Hall had not strength sufficient to resist Heston at the time of his forcing himself into possession, he had a right in one day or in one month, whenever he could raise sufficient power, to turn him out, and use whatever force was necessary to do it.

Heston gained no right by his forced possession, he was an intruder.

The Law will not suffer a man to be dispossessed in this summary manner.

Griffith took his proper legal remedy—the jury decided that Hall's lease was not expired. The Inquisition was the judgment of a competent tribunal, and if confirmed, was conclusive evidence of the facts found.

It was Griffith's business to acquiesce in the decision of the Court.

When a man once parts with his right to lands, he has no business there till his lease is ended.

No landlord has a right to go to law, and turn his tenant out by force, even after the expiration of his lease.

Hall had a right to maintain his possession—every man who has possession of property, no odds how, has a right to maintain it against all the world by force.

If a man is in possession and another intrudes, he gains no right by his intrusion, if the other resists, and he is not guilty of any riot in turning him off by force.

If Hall was justified in turning Heston off the way



he did, consequently all who acted under his direction are justified.

There is no evidence of a riot against the defendants in the second Bill.

The finding of the jury was not guilty, and the prosecutor, Heston, to pay the costs in both cases.

### GOVERNOR MIFFLIN'S MESSAGE.

In our vol. 2, we commenced publishing a regular series of the successive Governors of this state, from the commencement of the present Government, and had proceeded as far as 1792—when the course was interrupted by other matter.—In the present number, the publication is resumed—with the address of Gov. MIFFLIN, for 1793. These documents present annually to view, the prominent subjects submitted to the consideration of the Legislature, and are otherwise interesting memorials which every state ought to preserve.

FRIDAY, DECEMBER 6th, 1793.

The Senate met according to adjournment.

The Address of the Governor, being called for by Mr. Smith and Mr. Schmyser, was read as follows, to wit,  
*"Gentlemen of the Senate, and Gentlemen of the House of Representatives!"*

"The satisfaction that I feel in meeting you, at this time, is greatly increased, by the opportunity of congratulating you, on the restoration of health to the city of Philadelphia. The malignant disorder, which, on its approach, occasioned a sudden adjournment of the last session of the Legislature, produced, during its continuance, a complicated scene of terror, wretchedness and mortality. The lamented loss of many valuable citizens; the unexpected impoverishment of many industrious families; the accumulated list of widows and orphans; and the total derangement of public and private business, are obvious effects of the calamity, for which, in Pennsylvania, and in most of our sister states, every sentiment of sympathy has been expressed, and every source of liberality displayed.

"It is but just, however, on this occasion, to pay a particular tribute to the benevolent exertions of those citizens, who, in the hour of extreme distress (when the ordinary powers of the Police of Philadelphia, had become inadequate to the exigency of affairs, and the wonted spirit of the inhabitants, could no longer yield a support against the surrounding danger) were formed into a committee, for the relief of the poor and afflicted; and, in the execution of that trust, with equal fortitude and philanthropy, stemmed the torrent of sickness and despair. To their judicious arrangements, and unremitting labours, under the influence and favour of DIVINE PROVIDENCE, we must ascribe, not only an important alleviation of the calamity; but, while it lasted, the security of private property, and the preservation of the public peace. When, therefore, you shall review the report, which they have enabled me to lay before you, I am confident, that besides uniting in a cordial acknowledgement of their services, you will cheerfully bestow any legislative sanction that may be wanting to their measures, and provide any fund that may be requisite to indemnify them against the costs of their disinterested undertaking.

"It is probable, indeed, that the amount of the charitable contributions, which exceeds, in money, the sum of twenty-two thousand dollars (independent of the value of a considerable supply in specific articles, and of a guarantee for obtaining more money, if necessary, by way of loan) will be sufficient to defray the actual expenses of the committee, which amount, upon the general estimate, to a sum not less than twenty thousand dollars: but still, permit me to press as a claim upon

your benevolence, the expediency of making some provision for continuing, during the severity of the winter, the relief, which has been communicated to the depressed and indigent class of our fellow citizens; of whom two hundred families were under the care of the committee for several weeks; and for establishing a permanent asylum to shelter and maintain the orphans (composing an interesting group of one hundred and twenty-five children) who have been suddenly left dependent on the public bounty. With respect to the latter object, I shall be excused in suggesting, that it affords a favorable occasion, to give immediate effect, under the auspices of the Legislature, to that part of the plan, for extending the benefits of the Pennsylvania Hospital, which contemplates the misfortunes of suffering and forsaken infancy, as peculiarly deserving our attention and compassion.

"Deeming it of great moment to ascertain the origin of the disorder, the extent of its ravages, and the most efficacious means of guarding, in future, against a similar contagion, I have solicited, with that view, the aid of the committee of whom I have just spoken; as well as of the College of Physicians; and their respective sentiments, on the subject, will be submitted to your consideration. That the disorder was not immediately engendered by any noxious quality of our soil, or climate, but was brought hither from a foreign port, is a circumstance, which, being supported by the opinion of the College, affords a very serious consolation to the mind of every lover of his country: For, the resources of the state, and the industry of its inhabitants, cannot fail soon to repair the injury, which the commerce of the city has sustained, and even the calamity itself, if properly considered, may be rendered productive of very salutary effects. In order, forcibly to impress this sentiment, I have issued a proclamation, requesting our fellow citizens to set apart a day for general humiliation, thanksgiving and prayer; and, I am persuaded, that, in so doing, I shall receive all the advantage of your approbation and support.

"But with you, gentlemen, it yet remains to institute such regulations as shall be calculated effectually to protect us from the introduction of those malignant disorders, to which, as a consequence of our increasing intercourse with foreign nations, we become daily more exposed. The instructions that have been issued, by virtue of the act that was passed during the last session, will be laid before you; together with an account of the proceedings and expenses in the health-office, since the first of January preceding. But, it is obvious, that, for this department, a system more extensive, and more efficient is still necessary to the public safety, and requires the immediate sanction of legislative authority. Among many practicable improvements, it is thought essential, that every vessel from beyond sea should be liable to examination before she shall anchor near the city, whatever may be the number, or condition, in point of health, of the persons on board: that a competent allowance should be made, for fixing the residence of a health-office, and a physician, contiguous to the place appointed for such examination; and that the pest-house should be constantly supplied with a steward, a matron, and proper nurses. If, in addition to an institution, thus regulated, an Hospital, easily accessible by land or water, and situated in the neighborhood of the city, were established, for the accommodation of those, who may, at any future period, be attacked by a contagious disease, the danger, and the apprehension of danger, would, in a great measure, be removed. I am well assured, indeed, that to the want of this auxiliary for the Health-office, may be ascribed, much of the alarm and mortality that prevailed, at an early stage of the disorder.

"Recollecting the extensive scene of business which my former communications, as well as the records of the Legislature, will present to your consideration, I shall not, gentlemen, detain you any longer, at this time, than

B. A. Mitchell.

is necessary, cursorily to present the state of some of the principal matters, that have been referred, by law, to the agency of the Executive; and to bring to your view those objects, which appear to require an immediate attention.

"In reviewing the transactions that have taken place, during the recess of the General Assembly, I lament, that, notwithstanding the humane and liberal solitude of the Federal Government, to accomplish a peace with the hostile Indians, the treaty lately held at Sandusky has proved abortive, and a prosecution of the war, upon every principle of policy, and self-defence, has become inevitable. You will perceive, by a copy of the President's communication on the subject, which I have directed the secretary to deliver, that the manner of conducting the negotiation on the part of the enemy, was as inauspicious, as the condition, exclusively proposed for the basis of a reconciliation (which circumscribes and regulates the north-western boundary of the United States, by the course of the river Ohio) is extravagant. Conformably, therefore, to the intimation which I received, the proper officers of our frontier countries were apprised of the necessity of exercising all their skill and vigilance, for the purposes of protection and defence; they were authorised, in case of an actual invasion, or imminent danger of an invasion, of the territory of the state, to make such drafts from the militia, as the exigency should require; and they were instructed, by virtue of the discretionary power, which the law creates, to continue the three rifle companies in service, till the opening of the present session. The last of these measures; an inconsiderable draft from the militia of the county of Allegheny; and a voluntary exertion of the inhabitants of the county of Westmoreland; by seasonably allaying the apprehensions of the citizens, have undoubtedly prevented the desertion and desolation of several valuable settlements. Whatever, indeed, may be the issue of the campaign, in which the Federal army is now engaged, similar precautions will be requisite, for the same purpose, on the ensuing spring; and are recommended to your immediate attention, by the most interesting considerations of duty and humanity. I shall, therefore, only add here, that the account of the disbursements, which have been already made, for the defence of the frontiers, will be presented, agreeably to the directions of the act; and, I am confident, you will not think, that the expense has exceeded the importance of its object.

"A statement of the charges, that have arisen from the recent establishment of a fort at Mud-Island, will, likewise, be exhibited to you: but, while I perceive the propriety of maintaining that station, for those national purposes, which were mentioned in my last communication to the Legislature, I am convinced, that, as well from motives of economy, as of convenience, the existing mode of supplying the men for the garrison ought to be changed. Under this impression, I submit to your consideration, the expediency of providing for the appointment of a commandant and party, to be permanently employed; and should the proposition meet with your approbation, I cannot doubt its obtaining any sanction which may be necessary from the Federal Government, whose measures it is, principally, intended to promote.

"The arrangements respecting the Loan-office require a revision. The embarrassments that attended the organization of the institution, have been already represented to the Legislature, and may be regarded as one cause of the inconsiderable amount of the sum that has been borrowed throughout the counties; which, payable in bank post notes, is no more than eight thousand six hundred and twenty-nine dollars and forty-seven cents; and, payable in specie, is no more than two thousand seven hundred and eighty-three dollars and thirty-three cents, making the aggregate sum of eleven thousand four hundred and twelve dollars and eighty cents. As some applicants have been disappointed

on account of the defects in the law, and others on account of the limitation of the period, allowed for presenting the returns of the Commissioners, you will, probably, deem it a public accommodation, not only to explain the terms of the future, but to renew the loan of the current year. Pursuing the legislative directions, the money was procured from the Bank of Pennsylvania: but, finding a competent surplus of unappropriated specie in the public treasury, I have taken advantage of the power, with which I was evidently invested, to prevent an accumulation of interest, by a re-payment of the whole of this loan. It has not hitherto, however, been convenient to discharge the prior loan, of two hundred and fifty thousand dollars, obtained from the same bank, to complete the price of the shares, which the public holds in its capital stock; but, aided by the Land-office (which, notwithstanding the late suspension of business, has produced the sum of twenty-seven thousand six hundred and ninety-five pounds, and fifteen shillings, since the twenty-fifth day of August last) and the other resources of the state, I think it probable, that this desirable object may, likewise, be shortly accomplished.

"Of the progress in the improvement of the public roads, and the inland navigation of the state, you will receive satisfactory information, from the reports of the agents, and from the other documents, which I have instructed the Secretary to lay before you. As the annual appropriation for such uses, was, however, revoked by a late law, I shall particularly direct my attention to enforce the execution of all the existing contracts; so that, for the purposes of encouragement, as well as of information, the benefits produced by the expenditures, which the Legislature has occasionally authorised (amounting, since the adoption of the present constitution, to the sum of forty-seven thousand seven hundred and eighty-four pounds six shillings and six pence, exclusive of the allowance to Agents and Surveyors) may be ascertained in the course of the ensuing year. In the mean time you will have an opportunity to consider the special surveys, which have been returned by the respective Commissioners, appointed in pursuance of the act of the eleventh day of April; the objections which are offered to some of those surveys; the deviation formerly recommended to be made in the course of the Pittsburgh road; and the expediency of a revision of the general laws, concerning the public highways. The causes which were originally assigned, as justification of the delay in laying out the town at Presque Isle, and the road from Reading to that place (although some preparatory steps have been taken in exploring the road) are strengthened by the issue of the late negotiation with the Indians. If, therefore, you contemplate those plans, as of immediate importance, it will be necessary to provide adequate means, for the protection and safety of the Commissioners, who are employed to execute them.

"To the several subjects incidentally introduced in the course of this statement, permit me now, gentlemen, to add others, which, as I before observed, will require the interposition of the Legislature; and on which, I am confident, your wisdom and industry will be usefully and seasonably exercised.

"As every transaction that is connected with our Federal Compact that relates to its principles and construction, or effects its popularity and preservation, must be deemed of primary importance, I take the earliest opportunity, at the request of the Lieutenant Governor of Massachusetts, to present to your view, the proceedings of the Legislature of that state, on the claim of jurisdiction made by the Supreme Court of the United States, to compel her to appear and answer, as a defendant, in a suit instituted against her by an individual citizen of another state. The discussion of the question, which this communication involves, will unavoidably lead you to consider, even though the power, thus claimed (and supported, indeed, by a decision in another cause, of a

similar nature) has been legitimately delegated by the constitution to the Supreme Federal Tribunal; whether experience, the attributes of state sovereignty, and the harmony of the Union, do not require that it should be abolished; but, whatever may be the result of your deliberations on that point, you cannot fail to observe, with virtuous satisfaction, and patriotic pride, that, while an attempt to reform the political systems of other countries, is generally opposed by all the arts of corruption, and embarrassed by all the miseries of intestine tumult, the American government happily provides, under circumstances equally free from influence and fear, for the explanation of whatever may be thought ambiguous, and the amendment of whatever may be found erroneous, in the excellent instrument by which it is delineated.

"Before the present session is adjourned, your attention, gentlemen, will be required, as well to regulate the mode of electing representatives in Congress, as to apportion the representation in the state Legislature, conformably to the rule declared in the fourth section of the first article of the constitution. The enumeration of the taxable inhabitants, for the latter purpose, has not, however, been yet received. A measure that must be so beneficial to the community, as the institution of public schools, cannot, I am persuaded, require a constitutional injunction, to secure your regard; nor, while the means of diffusing useful knowledge shall be consulted, will you neglect to provide a competent support for the seminaries and teachers of the higher branches of science and literature. The system of our penal law, is still susceptible of some improvement; and I think the law which respects creditors and debtors, might be so meliorated, as to alleviate the severity, to which the latter are exposed, without impairing the justice, that is due to the former. The militia act requires considerable amendments, to render it efficient and satisfactory: some regulations for the assessment and collection of county rates and levies, are indispensable: and the general wish of our constituents claims the early establishment of a moderate fee bill. I have, on other occasions, suggested the propriety of seasonably providing against the inconvenience, which will eventually attend the issuing warrants for a greater quantity of land, than remains the property of the state; as well for ensuring the payment of the stipulated price, at the time of application: and it cannot escape your observation, that some precaution will be necessary to prevent the mischievous controversies, which may hereafter be the consequence of intrusive settlements upon located, though distant, tracts of land.

"Besides referring these topics to your consideration, permit me to remind you, that the act for extending the time allowed to obtain patents on old warrants and locations; the acts providing for the temporary defence of the western frontiers and the river Delaware; the act supplementary to the general law for preventing pestilential diseases being brought into the state; the act for transferring the powers of the late, to the present, Executive; the act for regulating the exportation of potash and pearl-ash; the act for establishing a Board of Wardens at the Port of Philadelphia; and the act for the suppression of vice and immorality; will all require a review, on account of the legal limitation of the respective terms of their continuing in force.

*"Gentlemen of the House of Representatives!*

"The proper officers will deliver to the Legislature a general statement of the public finances, at the period prescribed by law. In the meantime, however, it may be useful to inform you, that between the first of January, and the thirtieth of November last, the revenues of the state have produced a specie sum of four hundred and eighty-two thousand and twenty-six dollars and eighty-five cents; which, being added to the balance of two hundred and seventy-five thousand and twenty-three dollars and four cents, that remained in the treas-

ury at the close of the preceding year, will constitute a sum of seven hundred and fifty-seven thousand seven hundred and forty-nine dollars and eighty-nine cents.—The public expenditures, during the same term (including, among other things, the expenses of government, the redemption of the public debt, and the subscription to the capital stock of the Bank of Pennsylvania) have amounted to the sum of seven hundred and one thousand and six hundred and twenty-eight dollars: and, consequently, at the commencement of the present month, the surplus money in the treasury amounted to the sum of fifty-six thousand one hundred and twenty-one dollars and eighty-nine cents. But, besides the receipts in specie, you will find an accumulation of a considerable quantity of bills of credit; which wait the customary order of the Legislature to be destroyed.

"The sources from which the commonwealth draws her pecuniary supplies, being, at length, cleared from embarrassment, doubt, and disappointment, will, I am persuaded, be guarded and preserved, with all the care of a prudent and wholesome economy. The principal of these, arising from the dividend on the public shares in the Bank of Pennsylvania, which form a capital of one million of dollars, will, probably, produce a sum nearly adequate to defray the incidental expenses of government, as soon as it shall be discharged from the interest payable on the money, that was borrowed to complete the state subscription. For that purpose, as I have before observed, the land-office (which promises a long continuance of profit) cannot fail to furnish an ample fund. The product of the permanent taxes on licenses, writs, and official certificates issued under the seal of the state, is of an increasing nature. And the arrearages of taxes, if properly divided into instalments, and the manner of collecting them is rendered more efficient, may still be considered as a valuable resource.

"It is proper, however, in this place, to inform you, that a communication from the Secretary of the treasury represents, that in the report of the Commissioners for settling the accounts between the United, and the individual, States, a balance of seventy-six thousand seven hundred and nine dollars is declared against the state of Pennsylvania.

"The principal objects, for the public service, which require an appropriation, have been already suggested; and the amount of the certificates, that have been issued for unfunded debt, liquidated during the recess of the Legislature, will be exhibited to you, in the Register General's official report.

*"Gentlemen of the Senate, and Gentlemen of the House of Representatives.*

"As citizens and legislators of an important member of the Union, you cannot regard, with indifference, the proceedings of the General Government; nor the effects of foreign transactions, upon the tranquility and prosperity of the United States. However distinct the Federal and state jurisdiction may, theoretically, appear to be, they will, in practice, be found mutually dependent, and mutually interesting. If they are guided by a correspondent policy, each is happily calculated to strengthen and adorn the other; but the want of harmony in either operations, must be alike enervating and injurious to both. At a period so critical as the present, this great political truth cannot be too generally diffused, nor too publicly avowed. The dignity, the energy, and, perhaps, the peace of our country, depend, not only upon the wisdom of those, to whom the administration of our national affairs is immediately entrusted; but upon the sense, which the people shall manifest of their conduct, and the support, which they shall derive from the constituted authorities of the individual states. For my part, I have uniformly considered a prompt co-operation, in all the constitutional measures of the General Government, as an important duty; and therefore, I cannot close a recapitulation of subjects deserving legislative attention, without anxiously recommending the



principle of that opinion, to all the aid which your representative character, or private influence, enables you to bestow.

"THOMAS MIFFLIN.

"Philadelphia, December 5th, 1793."

For the Register of Pennsylvania.

# THE ALCHEMIST.

No. XXIX.

## EDUCATION.

What is the reason that in a government like ours, whose stability depends upon the intelligence of the people, greater interest is not excited upon the all-important subject, I have selected as the title of this paper? This is a question that has often been presented to my attention, without an ability on my part to render a perfectly satisfactory answer. The inattention to the subject, cannot arise, (at least in those members of our community who are accustomed to exercise in any degree, the faculty of thought,) from any conviction of its want of importance or dignity. This assertion would prove, that education had unfortunately conferred but little benefit upon those who had had the opportunity of embracing it: otherwise a greater enlargement of mind, and more correct views of what constituted the real happiness of a country, would be perceptible in those to whom I have just now alluded. It cannot then be the case, that any consider the education of all classes of the community, an unimportant or undignified matter of contemplation, but the general inattention to it, or want of a feeling of interest in it, must arise, either, from the absence of any thing really *exciting* in its nature, or because it is a matter which people can make a very proper subject of declamation or discussion, without being stirred up to any thing like *action*, in regard to it. This latter reason is one, whose influence is felt in very many of human affairs. There are some things which by apparently general consent, are set down as very proper matters upon which to express very decided sentiments of approbation, and to talk a great deal; though the uniform neglect of them is perceived so far as the actions of men are regarded. Politicians understand this extremely well; and make a proper use of it. Again—equal neglect is perceivable with reference to matters of acknowledged importance, either because the evils or the benefits to flow from them are remote, and not immediately tangible, or because there is a want of excitement about them—they address themselves more to the *understanding* than to the *imagination* or *feelings*. I may instance the subject, which, undoubtedly, every man of sense in his calm moments of reason and reflection, would set down as the most important for a human being to direct his attention to—Religion. How generally is this neglected! and why? not because it is unimportant to us, either in its results of happiness or misery; but because we consider both as placed at such a distant period, that we may with safety postpone a consideration of it, until—we have nothing else to do—which never happens. Let, however, an excitement once be raised—for any cause whatever: a popular preacher—a religious quarrel—a supposed persecution, or any other circumstance, trifling

or not, and instantly the flame spreads—the sober feelings of true religion are merged in the passions of religious enthusiasm—and people are apt to run into as many and dangerous extremes, on the one side, from their heated fancies, as they were on the other, from their cold indifference and neglect. Now, the imagination and the passions are easily excited. Let a new theatrical representation be announced—crowds are present at it. Let the flame of revolution be lighted in a country, some thousand of miles off, and calls made on our citizens to spend their money or even their blood, to encourage it—their money will be given—and their blood will, if necessary, be spilt—thousand will attend meetings for the purpose, who will have their feelings powerfully enlisted in matters, which can in no possible way, effect them, beneficially or otherwise. I by no means complain of these manifestations of sympathy with suffering human nature in any part of the globe—and would wish all efforts in its relief, which are prudent and rational, to be successful; provided they do not interfere with the all important consideration of the preservation and perpetuation of our own freedom and happiness.

It is, then, a difficult matter, to persuade the more fortunate classes of the community, that their own real enjoyments, and the happiness of their country, are concerned in the general diffusion of education. If it is a difficult thing to persuade them upon this point; probably all arguments addressed to them, to show its intimate connection with the prosperity of the humbler citizens of the republic, will be unavailable—when men are careless of their own interest, they are not apt to attend to their neighbors. The uneducated, therefore, must themselves be convinced of the importance of the object, which some of our philanthropic fellow-citizens have in view; and to which they have devoted a great deal of their time, and many efforts. If their exertions be said to spring from a selfish source—so on the same principle, do all virtuous labors and actions—but, surely, if by promoting the good of our fellow-men, we advance our own, in any honorable and laudable way, the latter consideration should in no wise detract from the merit of our undertaking.

If then, those who stand most in need of assistance on this head, and will be most benefited by any general establishment of a system of education, will really exert themselves, and devote their energies to the accomplishment of the object, a much better chance of speedy success to the plan will be presented. Let no wild schemes be indulged of a total alteration or revolution of the social system; let no Utopian plan of an assimilation to ancient and barbarous republics, disturb the sober judgments of the advocates of education. Independently of the inherent impropriety of such views, and their absolute unsuitableness to the present frame of society, an indulgence in them will render all reasonable plans of education, themselves, unpopular with many of our citizens, and prevent, most probably, even the adoption of such. It is highly impolitic in any system, to enlist in opposition to it the self-interest of any—particularly, if they be the rich and influential classes of the people.

If these adopt the idea that they will not be at liberty to follow their own plans in the education of their children; and that while such is the case, their money will be taken to found and support other systems by which their poorer neighbors will be educated without much expense on their part, their whole efforts will of course be directed to prevent any, the first advance to what they consider a dangerous attack upon their rights and privileges as citizens. I am, however, inclined to think, that the neglect which has been perceptible upon this essentially important topic, has arisen from a want of a proper appreciation of its importance on the part of those who are most in need of the benefits it will undoubtedly confer. A want of education, unfortunately, induces a narrowness of mind and want of enlargement of the mental vision, which can only be corrected by removing the cause. If this, then, unhappily presents an insurmountable difficulty in approaching such persons with argument, let us indulge the hope, that the labors and exertions of the philanthropic will beget an excitement upon this head which will produce the most favorable results. The really patriotic, the really enlightened, the really republican in feeling and principle, will not hesitate in the choice of the side to which to attach themselves.

UMBRA.

#### A PUBLIC MEETING OF THE FRIENDS OF AMERICAN INDUSTRY.

At a meeting of the friends of American Industry, held at the Musical Fund Hall, Philadelphia, September 25, at half past 3 P. M. HON. JOSEPH HENPHILL was appointed *President*, and MATHEW CAREY and ROBERT WALN, Esqs. *Vice-Presidents*, and JAMES PAGE and THOMAS M. PETTIT, *Secretaries*.

The Chairman opened the meeting with some pertinent observations, including a statement of the objects proposed in the call.

CHARLES J. INGERSOLL, Esq. then prefaced, with suitable remarks, and offered the following resolutions, which were unanimously adopted:—*U. S. Gaz.*

#### RESOLUTIONS.

1. Resolved, That *National Industry*, the power which creates social wealth, multiplies population, resources and enjoyments, improves the soil, and sustains agriculture, supplies commerce, and furthers navigation, establishes the independence, confirms the strength, and promotes the general welfare of the country, is a *National Interest*, without whose prosperous and permanent development the American people cannot be a great or happy nation; and whose importance, transcending that of ephemeral politics, shall, on this occasion, command the attention of this assembly, convened without regard to party attachments, and disclaiming party combinations, devoted to the great cause of national industry alone.

2. Resolved, That these United States, extending from the Atlantic to the great Lakes, and from the Estuary of the St. Lawrence to Gulf of Mexico, in a vast Peninsula, combine, in a degree unequalled elsewhere, the territorial opportunities of superadding the riches of manufactures of all kinds to those of commerce and agriculture, that the magnificent distances and apparent diversities of local interests, by means of steamboats, an invention purely American, have become the providential causes of constant intercourse, domestic exchange, and intimate union, among the several states: that the large sums so beneficially expended, and in the course of expenditure on internal improvements, would be

thrown away, with a view to any increase of foreign markets for agricultural products, and are only to be rendered available by transporting those of domestic industry for domestic trade; and that the State of Pennsylvania, the centre and heart of this great body politic, is most especially interested in its prosperity, by her position, and by the circumstance that, more than any other state, she possesses immense treasures of iron, coal, and other minerals, within the bowels of the earth, in addition to the inexhaustible harvests of its surface.

3. Resolved, That to deny to the government of these United States authority, by its charter, to protect and encourage manufactures, is to suppose that its illustrious framers were insensible to the first and greatest interests of their common country, and that the admirable constitution they gave it wants the first principle of prosperity, peace and self-preservation; and that for any state to arrogate the power of determining whether a law of the United States conforms to the constitution, and of annulling it if that state deems it unconstitutional, is to set up an usurped and despotic sovereignty, subversive of the radical doctrine that the majority is to rule, fatal to the sovereignty of the people, and insufferable by freemen, who will not endure the despotism of a monarch state, any more than of an individual monarch.

4. Resolved, That the acts of Congress for the protection of manufactures, have realized the promises of the majority who proposed, and have falsified the forebodings of the minority who opposed them; and that already they have greatly improved the condition of the country at large, and although their effects are not yet fully accomplished, the great interests and staples are all prospering by their influence.

Agriculture finds markets for its productions at steady and profitable prices. The article of wool, which has been fostered by these acts, has within a few years increased so much in quantity, and quality and value, as to be now worth more than half of the whole cotton crop, and is advancing so as to ensure its being within the next five years more valuable than all the cotton of the cotton growing states.

While agriculture is thus benefitted, foreign commerce, navigation, ship-building, and the tonnage generally of the United States, of the sea, the rivers and the lakes, have constantly increased and are rapidly progressive.

Above all, the Coasting trade, that primary interest of maritime enterprise, and principal nursery of a powerful marine, contrary to the most preposterous misrepresentations of its stagnation and comparative decline, has extended itself far beyond that of any other nation in the same time, and is progressing in a ratio of the most gratifying augmentation.

The Navy, whose decay was foretold in the anticipated ruin of our foreign commerce, has suffered no eclipse in its glorious career, and is not found to want the means of its construction or maintenance; on the contrary, it has been supplied by our own artisans with better materials in the estimation of the Government, than heretofore; and while the coasting trade, and whale fisheries thrive so vigorously, it can never need plenty of skilful hands and brave hearts to protect the commerce, and maintain the honor of its country.

The Army is equipped, clothed and armed with our own manufactures.

As shipping has multiplied, whether plying by sail, or steam, so has the number of houses been greatly increased, and notwithstanding their multiplication, rents have been continually advancing—the number of inhabitants increasing faster than that of habitations. This is not confined to the Seaport towns, but is common wherever manufactures prevail from Boston to Louisville; and the greatest increase is where they have been most attended to.

Manufactures furnish moreover, the best merchandise to exchange for specie in foreign countries, while

they also supply articles of exportation in lieu of the precious metals in our trade with others; so that the great increase of hard money and its general diffusion throughout the United States, thereby contributing to the present wholesome state of the currency, may be attributed in a great degree to their agency. To them also may be attributed the prodigious increase of our domestic exchanges.

The greatest of all the delusive warnings against the acts to protect manufactures, was, that they would inevitably reduce the revenue, and lead to dire taxation. Their effect has been to increase the revenue to a great amount. No loan has been necessary—no tax is to be apprehended; on the contrary, Government is embarrassed with an excessive income, which it will soon, after discharging the National Debt, be at a loss how to dispose of; while in its manufacturing establishments, the country owns the surest fund for productive taxation, in case of need; the sinews of war, as they are the pledges of peace, and the only security of Independence.

Another of the prejudices most attempted to be raised against manufactures, was that they would create a privileged class, supported and enriched at the charge of the community at large. This absurd denunciation, refuted by the whole philosophy of our institutions, has been utterly negated by experience, which has proved to the satisfaction of the large majority of all classes, that they are the beneficiariis, and not the manufacturers. In fine, the positive evidence is all around us, that every article, that has received full protection, has without exception, instead of becoming dearer and worse—become cheaper and better—since the era of protection; and none pays as much as heretofore, for any of the productions of handicraft, but those who insist on paying more in order to gratify their caprice, or their aversions; houses, ships, clothing, a hat, a shirt, a coat, shoes, machinery, carriages, furniture, manufactures of wood, iron, cotton, wool, leather, peltry, glass, in short, nearly all the necessities and luxuries of existence, are to be found in our own workshops of better materials, and workmanship than they can be brought from abroad.

Thus every evil predicted, has failed to befall us—every advantage promised has been accomplished by those protective acts, which are yet but in the beginning of their effects; benefits, as was said by the first secretary of the treasury, when he proposed them at the outset of our government—never to be attained but by the interposition of government, always complained of at first—but never failing in the end to be sanctioned by universal approbation. The eastern states have concurred with the central and western states in their adhesion to these acts, and the southern states will also follow, as surely as their climate, their productions, their water-power, and their labor all lead to the same result.

It is not saying too much, to assert that manufactures in the language of the Constitution of the United States, are mainly servicable in forming that more perfect union, providing for that common defence, and promoting that general welfare, which the people and the states united to secure.

5. Resolved, Therefore, that it is the true and obvious policy of the government of these United States, to *let alone* the accomplishment of their destiny in the present prosperous condition of their agriculture, commerce, navigation, manufactures, currency, industry and improvements of all kinds, and that it would be a most injudicious and perilous experiment to check, *alter* or endanger their actual development.

6. Resolved, That the city of Philadelphia, and the state of Pennsylvania, for the first time within a few years, put in possession of their own markets, supplied by domestic manufactures and sustained by internal improvements in common with all the cities and states of the centre and the west, most of the eastern and part of the southern states, are flourishing and contented be-

yond all example by these means, and that they must deprecate any interruption of them.

7. Resolved, That the importance of the manufacture on iron to all branches of industry—to agricultural, as none draws so largely in its fabrication from the raw material, upon its productions—to commercial, both internal and external, and to the national defence indispensable in war and essential to prosperity in peace, being of universal need, in which a very large capital is, and is being invested—merits and ought at all times to receive the encouragement and protection of a wise government so far as to insure a supply equal to our wants without relying on foreign nations, whose policy or interest it might be to withhold it at the time of our utmost necessity.

8. Resolved, That if any of the southern states or parts of them do not participate in the general prosperity pervading most of the United States, this meeting regrets it, and would freely endeavour to impart to them their full share of the common welfare. But that in union with large, intelligent and patriotic numbers of their own inhabitants, we cannot impute their alleged grievances to the protective system, nor believe that our means of prosperity are their ruin. A large and rapidly increasing market for their superabundant cotton cannot injure its producers. Protection for sugar, which has established its culture, and thereby taken a large quantity of land and labor from superfluous and losing cotton cultivation must have retarded the decline of the staples of the plantation States, all of which, moreover, enjoy protection as fully as those of the farming and manufacturing States. In the spirit of harmony and union, which begat and reared the American republic, we are anxious to administer relief to all who suffer, and to share our prosperity with all who desire it. Whatever conciliation can arrange *without sacrificing the principles of protection*, or without impairing the national industry—we are ready to sanction; but the Union must be preserved, and its lawful acts carried into execution.

On motion of ANDREW M. JONES it was, Resolved, That a committee of five persons be appointed by the president, to nominate delegates to the Convention to be held in New York, on the 26th of October, with power to fill vacancies if necessary, and add to the number.

The President named the following Gentlemen:

Thos. Bradford, jr.	James Harper,
Robert Waln,	Joshua Emlen,
John Waters,	

Who nominated the following list which was unanimously approved.

#### *List of Delegates.*

Mathew Carey,	Daniel Groves,
Daniel W. Cox,	Churchill Houston,
Samuel Richards,	Benj. W. Richards,
James Rondalson,	William Ker,
Andrew M. Jones,	J. J. Borie,
Furman Leaming,	Lewis Waln,
Washington Jackson,	J. Fisher Leaming,
Mark Richards,	James Martin,
Bernard McCready,	Alexander McClurg,
Samuel Breck,	Nathan Bunker,
Dr. Jesse R. Burden,	Thomas Yardley,
Edmund Green,	Edward Roberts,
Ellis Lewis,	Charles J. Ingersoll,
Samuel V. Merrick,	Jacob Holgate,
Wm. W. Young,	Peter A. Browne,
Thomas B. Darrah,	Joseph Ripka,

On motion of B. MCCREADY, it was

Resolved, That it be earnestly recommended to the friends of American Industry, in this and other states, to assemble in their respective counties, or Congressional districts, to express their views of the propriety of continuing the present protection to that industry, and



to appoint delegates, to the convention to meet in New York on the 26th October next.

The following gentlemen were appointed a committee of Correspondence, viz:

Mathew Carey,	Moses Kempton,
John S. Riddle,	James Martin,
Wm. W. Young,	John R. Neff,
J. J. Borie,	Joshua G. Barker,
John B. Trevor,	John Holmes,
Garret Newkirk,	Bernard McCready,
Thomas M. Smith,	Andrew M. Jones.

On motion of JOHN WATERS, it was

Resolved, that the proceedings of this meeting be published in all the newspapers in this city, and in a circular for distribution throughout this and other states.

JOSEPH HEMPHILL, President.

MATHEW CAREY, } Vice Presidents.  
ROBERT WALN, }

JAMES PAGE, } Secretaries.  
T. M. PETTITT, }

[From the Memoirs of the Historical Society of Penn.]

# COL. ROBERT QUARRY'S INFORMATION AGAINST THE GOVERNMENT OF PENNSYLVANIA.

*Copy of Col. Quarry's information against the Government of Pennsylvania, in two Memorials presented to the Lords Commissioners for Trade and foreign Plantations, with William Penn's answer thereto—Contributed by Mrs. D. Logan of Stenton.*

Read at a Meeting of the Council, March 17, 1830.

Abstract of several Informations relative to irregular Proceedings and other undue Practices in Pennsylvania.

1. That an illegal trade is carried on there, more than ever—sloops are purposely employed to go out of the Capes, and take on board goods brought by other vessels from Curacao, which they land at Philadelphia, or elsewhere. And then the vessels that brought them come up to Philadelphia in ballast, as if they had brought nothing.

2. The acts past in Pennsylvania to prevent illegal trade, are not put in execution, as neither the acts of trade made here.

3. Mr. Penn, having appointed water bailiffs by his own authority, has invaded thereby the jurisdiction of the Admiralty as established by the King.

4. There is neither any militia established, nor any provision made of arms or ammunition: but the country is left defenceless, and exposed to all hazards both by land and sea. Of which the representatives from the lower counties have several times complained to Mr. Penn, but without any effect.

5. Mr. Penn endeavours, all he can, to invite foreign and French Indians, known to be villainous, and that lately came from Canada to settle in this country for the benefit of a trade with them; which he takes care wholly to engross to himself, by ordering the Indians not to permit any to trade with them, but such as produce an indented license under his seal. What his profit may be thereby is not known: but it is apprehended this practice may tend to endanger the lives of many thousands of Her Majesty's subjects.

6. Mr. Penn prevailed on the assembly, at one sitting, to make a present to him of 2,000 pounds, and further to settle upon him 1,000 per ann. and upwards, in taxes. The expenses of their several sittings whilst he was there amounted to above 600 pounds. But he has not disposed them to raise the small quota of 350 pounds which was signified to be requisite towards the defence of New York; they excusing themselves chiefly upon account of the want of a settled militia, arms and ammunition for their own defence: which has indisposed them to any compliance with the quota of men

for New York in case of an attack; though it be a condition upon which the government was restored to him.

7. The representatives of the three lower counties, in an address to Mr. Penn, have further represented, "That instead of reaping the security designed by the laws passed at New Castle, they find that the most essential of those laws, and which nearest concern them, and their estates, have not been sent home for His Majesty's approbation, especially those for qualification of magistrates and juries, and those for establishing property, and raising money.

8. Those representatives being doubtful of Mr. Penn's right to the government of those colonies, they desired a sight of his deeds of feoffment. But instead thereof they were threatened with a goal, without bail, till either the King's pleasure should be known, or Mr. Penn's return to this country. And by these proceedings being made more doubtful of the validity of the laws passed at New Castle, they refused to confirm the same.

9. In relation to the administration of justice, information has been given of three particular cases of very heinous crimes. One of which was a woman committed for murder of her natural child, and confessing the fact, was either acquitted or pardoned; and the others who were men, one, the son of an eminent Quaker, by several shuffling and irregular practices, got off without trial.

10. Further information has been given, of a jury who, not agreeing upon a verdict, in a cause with which they were charged, determined themselves by hustle cap.

11. Appeals have not been granted from sentences in Pennsylvania to His Majesty in council here; particularly in the case of Thomas Byfield against John King.

12. The deputy governor, left by Mr. Penn, is not qualified by his majesty's approbation or otherwise as requisite by law. Nor has Mr. Penn ever given security for any deputy governor, as described by the address of the house of lords of 18th of March, 1696.

*Answer to the Abstract of Complaints against Proceedings in Pennsylvania.*—By WILLIAM PENN.

1. This is more than I know. And wonder (if it be true) that Col. Quarry (who, I perceive, presents these informations to this honourable board) never told me so before. For I never heard of but one vessel that played us such a trick. And I wish that Col. Quarry and his officers had been more vigorous to prevent it. But for the vindication of our merchants, and of that colony, I must desire Col. Quarry to prove the charge, and that due course may be taken to punish the faulty, and prevent such things for the future.

2. I pray proof of this also: for he never complained to me, that I can remember, of such neglect. But this I know, that he told me that he thought I was too hard upon the tobacco planters in making that law, for by that law the hogsheds of tobacco were to be weighed at their shipping, because they used to pass formerly at 400 weight by content, though perhaps they, or the merchants, crowded in 7, 8 or 900 weights into a hoghead. By which the king lost at 10s. per cwt. not less than 30, 40, or 50 shillings per hhd. which in a thousand hds. come to 1,500 or 2,000 pounds.

3. Col. Quarry, in his letter to this board, laid the charge, as if I had granted that commission to all the sheriffs. But of six sheriffs for the six counties, two only had them. They were granted of necessity, to suppress great disorders upon the water and in his absence, and never disputed by his deputy. And when objected against by himself at his return (after six months' absence, upon his traffic into other colonies) I did immediately command the sheriffs to forbear acting by them until further orders. One of them never had, and the other but twice and on slight occasions. However it was drawn by one that Lord Bellamont had made a councillor at New York and naval officer there—

of, well acquainted in such matters. And I offered to join with him to represent it home to this and the admiralty board, to give us our true boundaries, as the king's council in both laws should advise. Which he once promised, and best knows why he did not perform it.

4. There is as much as was in Colonel Fletcher's time. And the same governor I continued in command by the Queen's direction; all commissions being, by proclamation, to remain in force till revoked, and they never were; but it is a mistake that I had my government restored to me upon those terms—let the royal instrument be consulted. Nor was my right ever dissolved; or the interruption given me to be by law vindicated. And for the country's being left defenceless: 'tis an imposition upon the lords to tell them that a militia can secure it—since by land there is none to annoy it; and by sea, the position of the country, and the manner of our settlement considered, (our distance from the Capes being 169 miles, New Castle 120,) and the shoals and narrows so many, that a small vessel of war would, under God's providence, be the best security.

5. I never, to my knowledge, invited or entertained one French Indian in my life; but discouraged Frenchmen, employed by Col. Quarry or his customers, from trading with our Indians, (the cause of that restraint,) that they might not debauch them from the English friendship and interest. All which is notorious in those parts, where the truth can only be examined and found out. My profit by the Indians was never sixpence; but my known perpetual bounties to them, have cost me many hundreds of pounds, if not some thousands, first and last; but this shows a necessity of a "melius inquirendum" upon the place.

6. I acknowledge ye 2000 that money, (which makes not the 1200 English) but his 1000 is not above 700 that money, nor 500 this and near expired. But is that such a recompense, when five times the sum is less than my due? having not had for twenty years one farthing, but maintained the deputy governor at my own charge? And yet more than half of what they give me is yet unpaid; and if Col. Quarry and his factious adherents can obstruct it, will never be paid me. Whereas, had the law of imposts, given me in 1683, been received by me, it had been 20,000 pounds and more money in my way; and which was only by me waived for a few years, in our infancy, upon promises never performed to me.—But for the 350 pounds ye King writt to me about; I did not only endeavour to raise it by calling an assembly, (and which helps up the charge of the 600 he talks of) but writt to the governor of New York, that if I paid the three hundred and fifty myself, he should not want such a sum for the King's service. Whose answer was, that he neither wanted men nor money, but Colonel Kremer, the engineer that the New Englanders kept from him: nor was it at the same session of assembly, that gave me that supply, but more than a year after. Therefore it cannot be justly concluded, that I preferred my own wants to the King's service. And it was poverty more than defence, that was the excuse of the lower counties for not contributing to it, where a ship only, as before, is their best security; the town of Philadelphia, or at least the county, being in reality worth more than all the inhabitants of the lower counties, who yet have equal privileges with the whole province, on whose account he makes this reflection upon us. However they are not singular, Virginia and Maryland, old and opulent, as well as King's colonies, having declined their quotas.

7. It was then declared to them and consented to, that the imperfection of some laws in matter and wording, would require a review another session. And none were kept back, but those that were made towards the end of the session, when the early frost setting in so hard, that the sickness of the place made the members impatient of further stay. Nor am I (as I presume) obliged by my patent, to send them in so short a time: however I expect them daily.

8. They had the sight of the deed of feoffment; and were also told by me, it was upon record at New York. And for threatening them with a gaol, it is a most abusive perversion, for what was said, was to a member, but of one that was not a member, that was supposed to have sown such reflections about the town by himself or agents: and upon that I said, "tell me his name, and prove it upon him: and I will take care to lay him where I shall prevent his seditious practices, until the king's commands are known, or the law release him." This is the truth of the case, and I am still of the same mind, for the preservation of the common peace; nor did I know how to preserve it otherwise: and I thank God, it continues still, and hope will, until the Queen's pleasure shall be known: while our neighbours at New York are in such confusion and extremity; though not only a king's colony, but one of the most important.

9. For this foul charge I might rder the board to the records of the county. However, I will say thus much; nobody complained to me of it, nor appealed about the first of them; but I have heard that the single witness against the prisoner ran away, and was a fellow of no credit into the bargain, upon which, after a long imprisonment, the man was discharged in open court of quarter sessions.

For the woman (prisoner), she is neither pardoned nor acquitted; but the whole case lies with Secretary Vernon, to whom I sent it for the king's mind, who only could pardon her: and for want of a sufficient prison, is still in custody (if living) of ye sheriff, who waits for directions therein. Which representation was at the instance and address of the Swedish minister and congregation, that pleaded, 1st, That it was her own discovery. 2dly. That it was five years after the fact.—3dly. Her extreme sorrow and repentance, of which the discovery was an instance.

As to the other charge. The parties married, and in the opinion of the two only lawyers of ye place, (and one of them the king's advocate, of the admiralty, and the attorney general of the country,) her evidence was thereby enervated. But because the marriage was not so regular as the law required, I ordered the prosecution of it with the utmost rigour; as the minutes of council will show.

For the reflection upon our profession in styling the father, "an eminent Quaker." First, the father was but a late comer, and little known. And secondly, far from eminent there or here, but of all held a quiet, honest man, who had been his son's security, ye time [several words obliterated] nor was it at last admitted without good authorities in law.

10th. That was true; and they punished for it; or I had severely prosecuted them. But this was done some time before my arrival.

11th. This I must positively disown; for I never did deny one; nor was ever appealed or complained to. If any Court in my Government presumed to do so, I hope I know better things in justice and prudence, than to countenance or endure it.

12th. It was no fault of mine; since I could not stay to receive it.—But his name was sent over by me to my son, for that service, above a year before I thought of my hasty return; but it was, it seems, omitted to be presented, because of the doubtful issue of the bill then in Parliament against us. However, I have the opinion of Chief Justice Atwood at New York; that being a Governor in my own right, till the Sovereign could be apprised of it, the appointment I made was good. And Col. Quarry cannot but know, that necessity is ever a commission; and that I was under an absolute one, both to come, and to choose him; seeing there was not another person in either Province (not a Quaker) capable of it; unless my last Lieutenant Governor, that I had displaced upon the King's commands in 1699. And I hope, whatever be Col. Quarry's point, the Lords will judge of my proceedings, according to the nature of public exigencies.

(Signed)

WILLIAM PENN.

*A copy of a Second Complaint, to the right honorable, the Lords Commissioners for Trade and Foreign Plantations.*

A memorial most humbly presented by Col. Robert Quarry, Humbly presenteth:

That by several letters received from Pennsylvania I have the following account.

1st. That Anthony Morris, who as a magistrate did give a warrant for the taking by force out of her Majesty's stores, a parcel of prohibited goods, which were under seizure; of which unlawful act, an account being sent home, the Governor, Mr. Penn, was ordered to send the said Anthony Morris out of all offices, and prosecute him for the crime.

That in obedience to his late majesty's commands, and the orders of this honourable board, Mr. Penn did turn out the said Morris to answer his turn for the present occasion; but has now restored him again, and made him one of his chief magistrates.

2d. That Mr. Penn hath, in a late charter granted to the people of the city of Philadelphia, given to the sheriffs almost all the power of the Admiralty, even to the capes of the Bay, under pretence of water bailiffs.

3d. That several vessels being lately seized for breach of the several acts of parliament; the government have, in open contempt of the admiralty power, brought the information against the said vessels into their courts of common law.

4th. That Mr. Penn has commissioned his kinsman, one Parmyter, to be Attorney General, who is convicted of felony, perjury and forgery, as may appear to your Lordships from the records of the city of Bristol.

5th. That about three years since there was a dedimus, under the great seal of England, sent to Pennsylvania, empowering Edmund Randolph, John Moore, Jasper Yeates, John Hollwel, Edward Chilton, Esqrs. and myself, or any one of us, to administer the oaths to all such persons, which from time to time should take upon themselves the Government of Pennsylvania: and in case of our death or absence, then the members of the council, together with the principal officers of the customs, had power to administer the oaths according to law. That the said dedimus was carried to the Secretary to have it recorded in his office, and is forcibly detained by the Governor of Pennsylvania from the said commissioners, on purpose to prevent them from executing the powers of the said commission. And thereby persons have assumed the government without being qualified as the law directs.

I do humbly propose, that your Lordships will please to order that the dedimus may be delivered to the commissioners, unto whom it is directed, that so they may be enabled to obey his majesty's commands, and answer the ends of the law.

6th. That information hath been given to Col. Hamilton, how that the French are settling themselves on the back of Pennsylvania, about four daie's journey from New Castle. That one Lewis Lemoizen, a Frenchman, who has lived many years in Pennsylvania, and traded with the Indians, is run away to them with two Canada Indians, that were sent as spies to view the nakedness of that country: by which means the French will have the full knowledge of that country and its defenceless condition, which makes the inhabitants dread the consequence.

All which is humbly offered to your lordship's consideration.

By your lordship's most obedient servant,

ROBERT QUARRY.

*An Answer to Col. Quarry's Second Memorial presented to the Lords of Trade and Plantations.*

To the three first paragraphs relating to Anthony Morris. If I may say so mean a thing of myself, I had long ago Col. Quarry's licence to re-employ that man, after a thorough examination of him about the old bus-

iness of the replevin, in council, Col. Quarry present.— It appearing evidently to his satisfaction, that he was not only surprised by the lawyer who brought it to him to sign, but threatened into it that if he did not do it he denied justice to one of the king's subjects. Upon which, as well as private discourse between Col. Quarry and the said Morris, he declared, "If what he had writ of him were to do again, he would not do it; for that he believed he was imposed upon." Besides this, we have next to no choice in those parts, and he had been one of the most efficient as well as diligent magistrate there.

To the 4th paragraph. I have heard but of one vessel since my leaving the province, against which an information was brought to the courts of common pleas, and I am sure there was none during the time I was there. The officers' letter that exhibited the information is the best answer that I can give; besides the notorious obscurity, if not apparent contradiction of the law of the 7th and 8th of the late king so often complain'd of, in my hearing at your own board, as well as at the admiralty and elsewhere, upon which this dispute arises. And it were happy there were plainer directions to officers in their duty.

To the 5th paragraph. I desire that Col. Quarry may produce his proofs and authority for the charge therein contained. But if I had commissioned that gentleman my Attorney General, after having been preferred by a King's Governor of Lord Bellmont's quality and character, both to be one of the king's council, and his naval officer of so eminent a colony as that of New York, I cannot see the offence. And if men as guilty as he is said to have been, must, after repentance as well as pardon, never have been employed, some colonies would have wanted many a good officer and magistrate; to say no more.

To the 6th and 7th paragraph I am wholly a stranger, having never been asked for such an instrument, nor heard it was ever refused by any officer in the government. This must have been before my arrival, or since my return from the province. And what is fit for me to do in the matter shall be complied with.

To the 8th and last paragraph. I know not what information has been given to Col. Hamilton; but dare say for him, he neither wants sense, vigilance, courage, or loyalty, to do what becomes him in such a conjuncture. But as there have been many false alarms, his silence to me makes me believe this to be another. And as to Lewis Lemoizen, if he be run away, it is to some of the five nations under New York government from whence he had his wife; and that from the uneasiness I gave him in his traffic with our Indians under my government, lest he should negotiate any thing to the disadvantage of the English interest. But both this man and one Peter Barzallion, I have been told, were the great factors for the company in the Indian trade, of which Col. Quarry is the chief agent—and for his spys and defenceless condition of the province; it is a story, I would hope, could not possibly pass upon your understandings. The French are not now to know the condition of the back parts of all the English colonies upon the continent, and therefore his spy is, with me, but a vain conjecture.— Neither are we more defenceless than Maryland or Virginia; nor indeed is it possible to defend scattered settlements against surprises, if the French should come so far as to make them; which is next to impracticable. Nor can they reach us, without passing through the aforesaid five nations of warlike Indians and several of our English colonies. But the danger to them has never been from French, but from their own Indians, nor from them but upon repeated injuries and provocations given them, which I thank God our folks have escaped these twenty years, as defenceless a people as we are rendered, because we have not only been just, but very kind to them, as I am ready to make appear from their own testimonials. And if any danger is like to attend us (as they that hide can find so) let me wish that



Col. Quarry and his few factious adherents may never be the cause of verifying the suggestions from his known inveteracy to us. I could say more upon this head—And if what he has alleged can have weight enough with this honourable board to find credit against us, I must, in the name of the inhabitants of that province, beseech the lords to represent to the Queen the necessity of a free and impartial inquiry upon the spot, into the truth of his information. For after charges so black and enormous, there is no avoiding the nicest scrutiny.

I humbly add, that for the safety as well as peace of the province, I have deputed a gentleman of known good qualities to answer that end, if the Queen shall please to add her necessary qualification.

[From the New York American.]

### MAJOR BIDDLE.

To mitigate grief for the untimely loss of a valued friend, an old companion in arms has collected together some of the particulars of his short, but interesting career.

Major Thomas Biddle was the son of the late Charles Biddle, Esq. of Philadelphia, a gallant naval officer of the revolutionary army, and the brother of Commodore James B., and Major John B., who were equally distinguished with Thomas, in our second contest with Great Britain.

Thomas, a mere youth, was in 1812 appointed a Captain in Izard's afterwards Scott's regiment of artillery; and in the same year employed as acting Adjutant General, successively to Generals Bloomfield and Dearborn.

In a report from Champlain, dated Nov. 19, 1812, it is stated:—"A scouting party last evening passed the river La Cole, routed a party of Indians and fired their encampment. We had one man killed, and several wounded, among whom was *Captain Biddle*."

The following specimen of his talents did him credit as a staff officer:—

"General Orders, Head Quarters, Nov. 19, 1812.

The indisposition of General Bloomfield makes it expedient for Major General Dearborn to take the immediate command of the troops on Lake Champlain and its vicinity, and the General embraces the earliest opportunity to express his confidence in the troops composing the army of the North. Their bravery and patriotism will supply any deficiency in military discipline and tactics which time and experience will render perfect. In any movement towards the enemy, the most rigid attention to orders will be required, as well as a fixed determination in every individual of the army not to retreat, or give ground before the enemy. Should any one be so lost to a sense of honor and military duty, and the pride of the American character, as to be guilty of disorderly conduct in the time of action, he must expect no relaxation in the law martial. Every species of plunder or abuse of the inhabitants within the territory of the United States, or in Canada is forbidden on pain of death. By order, *Thomas Biddle, Captain U. S. 2d Artillery, acting Adjutant General*."

At the landing at, and capture of Fort George, May 27, 1813, the advance guard, commanded by the then Colonel Scott, consisted of certain companies of his own regiment, acting as grenadiers, and other selected troops—making a force of about 650 men. *Captain T. Biddle*, at the head of his company, made a part of the grenadiers. The enemy, 1500 strong, were at the point of landing, dislodged with great slaughter, when the advance guard, aided by the 6th Infantry, under the then Colonel Miller, pursued the routed enemy many miles up the Niagara, storming Fort George by the way. In these brilliant operations, no officer displayed more courage, zeal, and efficiency than *Captain T. Biddle*.

In regard to the battle of Stony Creek, June 5, 1812, Major General Lewis, in his dispatch of the 11th

of the same month, says—"The light corps which formed the advance, and beat the enemy, were Captains, Hindman's, Nicholas' and *Biddle's* companies of the 2d artillery, acting as infantry. These three gentlemen, and Captains Archer and Towson of the same regiment, and Leonard of the light artillery, are soldiers who would honor any period. Their gallantry, and that of their companies, were equally conspicuous on this occasion, as on that of the 17th ultimo."

At the battle of Chippeway, on the 5th of July, 1814, Major General Brown in his despatch to the Secretary of War, dated July 7th, 1814, after describing his passage of the Niagara, proceeds:—"Early on the morning of the 5th, the enemy commenced a petty war upon the pickets; and as he was indulged, his presumption increased. By noon he showed himself on the left of our exterior line, and attacked one of our pickets as it was returning to camp. *Captain* —, who commanded it, retired disgracefully, leaving a wounded man on the ground. *Captain Biddle*, of the Artillery, who was near the scene, impelled by feelings highly honorable to him as a soldier and an officer, promptly assumed the command of this picket, led it back to the wounded man and brought him off the field."

And in describing the same action, Major Hindman says:—

"About the time the enemy commenced their charge, and at the moment they broke, *Captain Ritchie's* company of artillery, and one piece (a twelve pounder) of *Captain Biddle's* company of artillery, under Lieutenant Hall, participated in the action. The captains, officers, non-commissioned officers and men, conducted themselves as brave and faithful soldiers; and the whole artillery, then on the field, pursued, under the fire of the enemy's batteries, with rapidity, and saw them precipitate themselves within their works. [Across the Chippeway river.] At this period of the action, two eighteen pounders, under Captain Williams, and the remainder of *Captain Biddle's* artillery, were brought upon the field; but those officers reluctantly quitted the ground without being permitted to open battery upon the enemy's works, beyond Chippeway."

At the battle of Niagara, on the 12th of July, 1814, Major-General Brown in his despatch to the Secretary of War, says:

"The corps of artillery commanded by Major Hindman behaved with its usual gallantry. *Captain Twiss* of the company attached to the 1st brigade [Scott's] was the first and last engaged, during the whole conflict maintained that high character which they had previously won by their skill and their valor. *Captains Biddle* and *Ritchie* were both wounded early in the action, but refused to quit the field. The latter declared that he never would leave his piece, and true to his engagement, he fell by its side, covered with wounds."

At the night assault of Fort Erie by Gen. Drummond on the 13th of August, 1814, Maj. Gen. Gains in his despatch to the Secretary of War, says:—"At this moment every operation was arrested by the explosion of some cartridges deposited in the end of the stone building adjoining the contested bastion. The explosion was tremendous—it was decisive—the bastion was restored.—At this moment *Captain Biddle* was ordered to cause a field piece to be posted so as to enfilade the exterior plain and salient glacis. The Captain, though not recovered from a severe contusion in the shoulder, received from one of the enemy's snells, promptly took his position, and served his field piece with vivacity and effect.

And again—

"Major Hindman, and the whole of the artillery under the command of that excellent officer, displayed a degree of gallantry and good conduct not to be surpassed. . . . *Captains Biddle* and *Fanning* on the centre and right of their entrenchment, threw their shot to the right, left and front, and annoyed the Indians and light troops of the enemy approaching from the woods."

It is in the junior grades, to men like these,—young, educated, full of zeal and intelligence,—that in times of peril, we are to look for the defence of our rights and honor, and the glory of our arms.—For his repeated acts of heroism, Captain Biddle received the rank of major, by brevet.

In 1818-9, Major B. served in the staff of Brigadier-General Atkinson, whilst the latter established the posts on the upper Missouri and Mississippi rivers. On the further reduction of the army, in 1821, he accepted the office of district paymaster; married, and has since resided in St. Louis down to the period of his late fatal encounter.

In him the country has lost not only a gallant, but a most gifted and estimable man. Something must be allowed to the habits of certain district of country particularly in times of high party strife and dissension.—If, therefore, the manner of his death was rash, but a small portion of the blame was his:—in *chivalry*, none; for his conduct was honorable and manly throughout. And even there, the scene of his lamented end, hundreds and hundreds who shared his friendship, or partook of his open hospitality, like the thousands who knew and admitted him elsewhere, will ever be ready to bear witness that, to the greatest sternness of integrity, courage and purpose, he united in private intercourse, the gentleness and amiability of a child.

#### NIAGARA.

From the Germantown Telegraph.

#### DIVISION OF THE COUNTY.

MR. EDITOR—Believing, as I do, that your useful journal is, and always has been, open to a free discussion of the subject of dividing the county, and knowing that the subject is an important one, I have long anxiously expected, that some one of your numerous correspondents would enter the lists in opposition to the measure, and show us the opposite side of the question. It is evident that I, together with those of my fellow-citizens opposed to it, have been disappointed; while the columns of the Telegraph have been weekly filled with arguments in favour of division, no one has yet dared to oppose it. This being the case, in the absence of those much more capable, I propose through your columns to lay before the citizens of the county, a few *facts* in relation to the matter.

It has become almost habitual, in the present state of human nature, particularly in affairs of this kind, for every one to question his neighbour's motives. I have doubted, (and justly, as I think I shall prove) the ostensible objects of those in favour of a division. I have sought their motives, but must confess have failed in finding them. I first attributed it to some political manoeuvre, to politics, that all-absorbing subject, which so often carries every thing before it; but I see among the advocates of division, men of all political hues, with many of whom I am personally acquainted, and for whom I entertain the highest respect, and know that they could not stoop to political intrigue. I next thought, as the idea, from the best of my information, originated in Germantown, that it was a measure intended solely for the benefit of that place; but here again I am met with a proposition, that the location of the county town be left with three disinterested commissioners appointed from another county, and that it shall be central as it regards population and geographical limits. It is true the calculation may be such, by taking Blockley and parts of Montgomery county, as to make Germantown central in both these points; of this, however, I know nothing, but am fully convinced that if Germantown expects to be benefited by being a court town, it is altogether a mistaken idea. I have only to refer to other county court towns, what are they? Take away from them their industrious citizens, their mechanics, and their manufacturers—I repeat,

what are they? Too often, hot-beds of vice, immorality, and dissipation, filled with pettifogging lawyers, who, generally speaking, have not employment for more than three months in the year; the remainder of which is spent in idleness and dissipation. How many parents have had their ambitious hopes and prospects blighted by sending their sons to those places to study law? by the way, generally a mere burlesque on study. How many of those sons, after having run a brief course of dissipation, gambling, &c. have ended in *mania a potu*? I write, Mr. Editor, feelingly on this subject, and could, if it were proper, name a number of cases in point, the subjects of which were personally known to me. I appeal to any person acquainted with the manners and customs of most county towns, whether this is an exaggerated statement. And let me ask, what equivalent would Germantown receive for being infested with a set of ninth-rate lawyers and their students? What benefit would she receive? Simply, encouragement for another nuisance, a *multiplicity of taverns*, Pandoras Boxes; first, a set of petty, half-bred quibbling attorneys, to produce and encourage litigation and disputes among many of your honest citizens, leading them continually after some *ignis fatuus*, producing in them a state of excitement and idleness, and finally, having been fleeced out of half their substance by one *bar*, spend the remainder at the other.

At a loss to find other reasons for dividing the present county, I must conclude that it originates in want of proper information on the subject; and although I consider it *unwise* and *imprudent* for us of the county to agitate the question, convinced as I am that the county has every thing to *lose* and *little to gain*; that she is in fact (to use a common expression), quarrelling with her bread and butter.—I will in my next furnish a few facts, which will, I think, at least serve to throw more light on the subject.

A CITIZEN OF THE COUNTY.

#### MEETING FOR DIVIDING

#### THE COUNTY OF PHILADELPHIA.

At a numerous and respectable meeting of the inhabitants of Lower Dublin Township convened by public notice at the Inn of Benjamin Snyder, in Bustleton, on Friday the 2d September inst. for the purpose of taking into consideration the resolutions passed at a meeting of the county of Philadelphia, and for assisting which, the co-operation of the inhabitants of Lower Dublin the inhabitants of Germantown township held at Germantown on Thursday 11th of August last, for dividing township, and other townships composing the northern section of the county were invited, by sending delegates to meet hereafter in Convention,

Samuel Swift was called to the Chair and John W. Trump, appointed Secretary.

After the published proceedings, and circular from the Germantown Committee of correspondence, had been read and discussed, the following resolutions were unanimously adopted.

Resolved, That the delegates be appointed for this Township with power to supply any vacancies in their number, who shall be authorized by this meeting to confer with an equal number appointed by the townships of Germantown and others, on the subject of a division of the county of Philadelphia in future Convention, whereupon Samuel Swift, John H. Gibbon, and Daniel Walton were nominated and appointed.

Resolved, That the delegates be instructed to inquire into and ascertain the sentiments of the people of the other townships, both as to their willingness to unite in the proposed plan, and to learn their views in regard to the place proposed for the county town and give their aid for effecting it by the ensuing Legislature, provided it appears to them, there is fairness and equality intended, as to fixing the place for the public buildings in the

centre of the proposed district, having in view both population and geographical limits.

Resolved, That this committee of delegates communicate by letter or otherwise, with the corresponding committee of Germantown, &c. in relation to their own appointment, and the ulterior movements of the other parties, the townships before mentioned.

Resolved, That the said delegates be instructed to use their exertions to have the subject of division submitted directly to the people of the townships invited to form a new County.

SAMUEL SWIFT, Chairman,

JOHN W. TRUMP, Secretary.

[From the Crawford Messenger.]

#### ANOTHER NEW COUNTY PROPOSED.

Pursuant to public notice, a large and respectable number of the citizens of the eastern part of Crawford county, convened at the house of Samuel Rice, in Centreville, on Thursday 15th of September ult. and from thence adjourned to the school house. The meeting was organized by calling *William Curry, Esq.* of Oil creek, to the Chair, and *Cornelius W. Cummings*, of Rome, Secretary.

The object of the meeting being announced, the following resolutions were unanimously adopted.—

2. *Resolved*, That a committee of three persons be appointed to prepare resolutions expressive of the sense of the meeting—Whereupon Joseph Patten, Esquire, Thomas Bloomfield, Esq. and Major Adam Holiday, were appointed that committee.

The committee retired for a few minutes, and on their return submitted the following resolutions:

*Resolved*, That in the opinion of this meeting, a new county to be composed of parts of Erie, Crawford, Venango and Warren, comprizing within its limits about three thousand inhabitants, would have a tendency to increase the wealth and population of this section of country, and promote the common interests of the state. We therefore deem it expedient that a committee should be chosen embracing in it one member from each township within the contemplated new county, for the purpose of preparing petition on and making the necessary arrangements for having our local situation, and the subject of our claims legally represented to the next legislature.

*Resolved*, That the following persons shall compose that committee, viz. Capt. William Robison, Aaron Benedict, Esq. and James L. Chase, of Venango; William Curry, Esq. Ransom Kingsley, Abraham Wheeler, Joseph Patten, Esq. George White, and Stephen Bloomfield, of Crawford; Capt. Warner Perry, Aaron D. Rose, and Nathaniel Stacy, of Warren; William Miles, Esq. Eli Gray, William Gray, Esq. and James Nelson, Esq. of Erie county; and the aforesaid committee are requested to meet at the house of Samuel Rice, in Centreville, on the 4th Tuesday in October next, to perform those duties required by the above resolution.

*Resolved*, That the proceedings of this meeting be signed by the Chairman and Secretary and published in the papers of Erie, Crawford, Venango and Warren.

WILLIAM CURRY, Chairman.

C. W. CUMMINGS, Secretary.

The whole amount of property sold by Mr. C. J. Wolbert, Auctioneer, on Thursday evening, Sept. 15, at the Merchant's Coffee House, including the following properties, was \$91,545.

Laurel Hill	\$14,000
Fountain Green,	14,000
Stone House,	4,100
Gothic Mansion, Chesnut St.	16,500
The Rising Sun Tavern, No. 38 Market St.	14,200
The House and Lot No. 338 Market St.	13,950

#### MANUFACTURES.

The following view of manufactures of several towns in the state in 1792, is extracted from an essay entitled "Reflections on the state of the union," and published in the "*American Museum*" vol. 11. p. 187.

The towns of Washington, Pittsburg, Bedford, and Huntington, in Pennsylvania, (the nearest of which is 150 miles from a sea port, exhibit the strongest proofs, that manufactures are the best support of the interior landed interest, and are necessary at once to the accommodation and prosperity of the cultivators of the middle and western country. The following table contains an account of the population of those villages, which is not exaggerated.

Mechanical Branches.	Wash.	Pitts.	Bed.	Hunt.
CLOCK and WATCH-MAKERS,	1	1	0	0
SILVERSMITHS, -	1	0	0	1
COOPERS, -	1	2	1	0
SKIN-DRESSERS and BREECHES MAKERS, -	1	1	0	0
TANNERS and CURRIERS, -	1	2	1	0
TAILORS, -	2	0	2	3
CABINET MAKERS, -	2	4	0	2
BLACKSMITHS, -	2	5	3	4
SHOEMAKERS, -	2	5	2	4
HATTERS, -	2	2	1	2
DYERS, -	1	0	0	0
WEAVERS, -	2	2	0	2
REED-MAKERS, -	1	0	0	0
SADDLERS, -	1	3	2	2
SADDLE-TREE MAKERS, -	1	0	0	0
SPINNING-WHEEL MAKERS, -	1	0	0	0
NAILERS, -	1	0	1	0
MALSTERS and BREWERS, -	1	1	0	0
POTTERS, -	1	0	0	0
TINNERS, -	1	2	0	0
DISTILLERS, -	3	0	1	0
WHEELRIGHTS, -	0	3	1	2
STOCKING-WEAVERS, -	0	1	0	1
GUNSMITHS, -	3	0	0	0
ROPE MAKERS, -	0	1	0	0
WHITESMITHS, -	0	2	0	0
Total of manufacturers,	32	37	15	23
Total families,	*	130	40	85

\* The population of Washington is unknown, but it is less than that of Pittsburg.

It appears from this table, that in those county towns (or seats of justice) in the interior and western parts of Pennsylvania, the necessity for manufactures has occasioned a little congregation of artisans, in the proportion of twenty-seven parts in one hundred, of the whole village in the smallest instance, and in the proportion of thirty-seven parts in one hundred, in the largest. The town of Washington, which is the most remote, and is beyond the Ohio, has been created since the late war. Its distance is about 300 miles west of Philadelphia.—The variety of its manufactures is striking, and it may be safely affirmed, that at the seats of justice, in the counties of Delaware, Bucks, Chester and Montgomery, which are nearest to Philadelphia, as great a number of manufacturers, in proportion to their respective population, does not exist, though the family manufacturers are more considerable in these, and though they have numerous tanneries, iron works, powder mills, paper mills, blacksmiths, hatters, shoemakers, weavers, and other valuable workmen, in their villages and scattered throughout their populous townships. This, however, is the case, in some degree, likewise in the townships of the western scene above described.

In the midland counties of Pennsylvania, manufactures have resulted from a *flourishing agriculture*, and, immediately on their birth, have contributed to the pros-



perity of the cultivators. The borough of Lancaster, which is the largest inland town in the United States, is sixty-six miles from a seaport, and ten from any practised boat navigation. The number of families was in 1786, about 700, of whom 234 were manufacturers.—The following is the list of them. Fourteen hatters, thirty-six shoemakers, four tanners, seventeen saddlers, twenty-five tailors, twenty-five weavers of woolen, linen and cotton cloth, three stocking weavers, twenty-five white and black smiths, six wheelwrights, eleven coopers, six clock and watchmakers, six tobacco and snuff manufacturers, four dyers, seven gun smiths, five rope makers, four tanners, two brass founders, three skin dressers, one brush maker, seven turners, seven nail makers, five silver smiths, three potters, three brewers, three coppersmiths, and two printers in English and German. There were in 1786, also within thirty-nine miles of the town, seventeen furnaces, forges, rolling mills and slitting mills, and within ten miles of it eighteen corn mills, sixteen saw mills, one fulling mill, four oil mills, five hemp mills, two boring and grinding mills for gun barrels, and eight tanneries. The increase since 1786, must have been very considerable; for the attention of the United States has been very much turned to manufactures since the year 1787. It may be safely affirmed, that the counties of Lancaster (in which the borough is) York and Berks are the most vigorous in Pennsylvania, perhaps in the Union, and that there are none in the state in which there are more manufacturers, is beyond all question. They are all fifty miles or more, from the nearest seaport.

From the United States Gazette.

#### PHILADELPHIA AND READING RAIL ROAD.

At a meeting of the committee appointed to examine the proposed route for the Philadelphia and Reading Rail Road on the west side of the River Schuylkill, held at Kimberton, 9th mo. 17th 1831.

The minutes of the Proceedings of the committee were read, from which it appears a survey has been made by J. Edgar Thompson of the route from the head waters of the north branch of French creek to Reading—that the grade of the road from the summit level to Reading would be under 30 feet to the mile, after overcoming about 200 feet by stationary power near the summit—that the French creek valley has been examined, and is deemed favorable ground for a rail road, and that from French creek to Peters Island, two routes are deemed practicable, one to enter the great valley, by the Pickering gap and thence down the valley to the mouth of the gulf stream, and thence by the Schuylkill, or to keep down the French creek to its mouth, thence by the Schuylkill to Valley Forge, thence through the high grounds, by the course of the valley, and thence to the Gulf stream as before, &c.

And the following letter from the Engineer to one of the committee being now produced, his views were upon motion unanimously adopted, and the letter ordered to be published for the information of the friends of the route.

And it is agreed that this committee will not meet again until after the meeting of the friends of the route, which is to be held by their own adjournment, at Kimberton, on 7th day the 15th of next month, at 1 o'clock, P. M.

Editors of newspapers, friendly to the object, are requested to give these papers one insertion.

JOHN ROGERS,  
GEORGE CHRISMAN,  
EMMOR KIMBER.

PHILADELPHIA, Sept. 16th, 1831.

"Dear Sir:—I do not conceive that it is necessary for the committee to incur any additional expense in making further surveys for the proposed Philadelphia and Reading rail road; although it would have been both

advisable and satisfactory, while on the ground, to have ascertained the possibility of entering the Great Valley by a more direct route than that by following the French creek valley to its junction with the Schuylkill river; still it is known that the latter is practicable, without much difficulty; which is all sufficient for the purpose of obtaining a charter for the road. From the mouth of French creek, the line may continue along the valley of the Schuylkill to the Pennsylvania rail way at Peters Island, which is the only practicable point of intersecting that work: or as proposed, pass up Valley creek, thence near the King of Prussia, and along the Gulf stream, to its intersection with the river.

If the committee desire it, I will draw a report and estimate of what has been done, and also give my opinion on the probable cost of forming the road along the French creek valley.

Respectfully, your friend,

JN. EDGAR THOMPSON.

EMMOR KIMBER, Esq.

#### PROCEEDINGS OF COUNCILS.

MONDAY EVENING, Sept. 26, 1831.

SELECT COUNCIL.—Mr. DUANE presented the following remonstrance from STEPHEN GIRARD, Esq. which was laid on the table.

To the Select and Common Councils of Philadelphia.

The memorial of Stephen Girard of the said city, respectfully represents—That having been informed of an application, made to Councils by Messrs. Hollingshead, Platt and Taylor, in relation to the property lately purchased by them in north Water-street, north of your memorialist's stores; and having also been informed of the ordinance proposed by the Committee of Councils, to which the said application was referred, conceives it to be his duty after due consideration, to remonstrate against such proceeding as is contemplated by that ordinance.

Your memorialist does not suppose that Councils have a right to grant to any private persons for any term of time, the right, title, interest and property of the city in any part of any public street, or alley; but if your memorialist is mistaken, and if Councils have such a right, he respectfully asks whether any such privilege should be granted to any private persons to the prejudice of your memorialist, and in preference to him? Your memorialist conceives that when his past improvements, his long residence on the spot, and his desire further to improve, are considered, a preference should be given to him: he does not, however, seek a favour; he barely objects to the grant of a favour to others, to his own injury, and respectfully makes known, that if Councils are disposed to grant the privilege referred to, your memorialist wishes to have it for the term of twenty-five years only, and will give to the City at least five hundred dollars more than any other individual, obligating himself in the mean time, to keep the premises in complete and good order in all respects.

The Select Council passed an ordinance for constructing a culvert in Schuylkill Sixth-street, and one fixing the width of the cart-way in Bank-street.

The Common Council did not form a quorum.

[Phil. Gaz.]

We learn from a respectable source at Doylestown, that that place is exempt from bilious disease except in a single family at the foot of the hill. The population is about eight hundred souls, and there are not five persons sick. Our correspondent remarks that but few districts either in town or country, are so well off in this respect, at this season. We give this statement to correct the tendency of a paragraph of the opposite tenor, which was, last week, circulated in the newspapers, and erroneously ascribed to the Doylestown Democrat.

# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 15. PHILADELPHIA, OCTOBER 8, 1831. NO. 197.

From the Bucks County Republican.

## ESCHEAT COURT—REYNOLDS' CASE.

[CONTINUED FROM PAGE 198.]

The following is a sketch of the Address of Mr. Ross, the Escheator:

Gentlemen of the Inquest—We have, after a long and laborious investigation, arrived nearly at the close of this case. Its importance, not only to the persons in possession, but particularly to the Commonwealth of Pennsylvania, demanded a patient and serious examination. This it has received. It now becomes my duty, as the representative of the interests of the Commonwealth, to lay before you the grounds upon which this property is claimed as an Escheat. In doing so, it will be my object to select from the great mass of testimony that has been offered, such parts as really have any bearing upon the immediate points in issue; and to present them for your consideration in as plain and simple a shape as the nature of this case will admit.

It has been objected in the outset of this case, and urged strenuously in the argument of it, that this Court has no authority to take cognizance of the case now trying; but that the decision of it belongs to the Board of Property, under the act of Ap. 5, 1782, 2 Smith's Laws, p. 15. The determination of this question forms no part of the matter you are called upon to decide. The oath or affirmation that you have severally taken is, that "you will diligently inquire whether John Reynolds, late of the county of Bucks, hath died intestate, and whether he was at the time of his death seized or possessed of any and what estate, real or personal, in the county aforesaid, and also in whose hands or possession the same shall be." You cannot therefore extend your inquiry to questions relating exclusively to the power and authority of this court; but must confine yourselves to the matters contained in the oath that has been administered to you. The question of jurisdiction must be determined by another tribunal. Suffice it to say; that the proceeding in this case is founded on the 14th sec. of the act of 1787, which expressly authorizes the cognizance of cases of Escheat happening as well previously, as since the Revolution.

By the 23th sec. of this act, it is provided, "that if any person, who at the time of his or her death, was seized or possessed of any real or personal estate within this commonwealth, die intestate, without heirs or any known kindred, such estate shall Escheat to the Commonwealth, subject to all legal demands on the same." In order then to establish the Escheat of this land, it is necessary that the commonwealth should prove,

1st, That John Reynolds hath died intestate, without heirs or known kindred.

2d, That he was at the time of his death seized or possessed of this property.

3d, It is also necessary to show in whose hands or possession the said land may be.

(Before Mr. Ross proceeded to an examination of these points, he presented the Jury with a history of the proceedings that had at different periods taken place in relation to this property, as far as it could be collected from the evidence adduced. For this statement,

see a former number [Register, p. 209] of the paper containing it. He then proceeded.)

The first question for your inquiry, and to which your attention must be particularly directed, is, Did John Reynolds die intestate, without heirs or any known kindred? 1st, Did he die intestate? There can be no doubt, gentlemen, of the death of John Reynolds, although it has been seriously urged that there is no evidence of it, and that you should not be permitted to presume it. The Patent was granted to him in 1687, and supposing him to be then only 21 years of age, he would at this time, if living, have numbered 162 years. The time that has elapsed, therefore, is sufficient to raise a presumption of his death. Independent, however, of any presumption, you have in evidence the admission of the settlers themselves, in all their proceedings with the commonwealth in relation to this land, that John Reynolds is dead.

Did he then die intestate? It has been shown by the certificate of the Register of this county, that there is no will of John Reynolds on record in his office; and also by the certificate of the Register of the city and county of Philadelphia, that there is no will on record in that office from the year 1687 to 1776, both inclusive. If John Reynolds had died testate in this county, his will must have been recorded in one of these offices; and consequently, as no will has been found, it is sufficiently proved that he died intestate. It has been urged, however, that he might have died in England, and left a will on record in that country; and that his intestacy has not been made out, inasmuch as there has been no certificate adduced in evidence, showing that there is no will on record in that country. Even admitting that he died testate in England, still, unless such will is executed and proved according to the laws of this State, it would not pass real property situated in this county (Tol. Ex. 72;) though as respects personal property the case would be different. (1 Bino. 266.) It has then, I think, been clearly shown, that John Reynolds died intestate.

The next point under this division of the case is, did he die without heirs or known kindred? This might be presumed from the fact; that although a period of 144 years has elapsed, no one has been able to establish his title to the property, as the heir of John Reynolds. You are, however, not asked to presume it; you have the admissions of it by those under whom the present holders of this land claim. Upon examining the Escheat Warrants of 1769, you will find that the settlers themselves represented to the commonwealth, that John Reynolds had died "without issue, relation, or known kindred," &c. The present holders claim under the persons to whom these Escheat Warrants were granted; so that you have the express declarations of the parties immediately interested, admitting the fact; stronger evidence than this could not be offered. These Escheat Warrants are the foundations upon which rest the titles which Betts and Bonner have obtained from the Commonwealth; and which if the representation then made be now denied by you, can convey no title, although they have received patents for the respective quantities of this tract. In addition to what I deem such strong conclusive testimony, we have also the decision of the Board of Property made in 1794, upon the caveats

filed in 1788 by the persons claiming to be the heirs of John Reynolds. The Board in their decision say:—"Healey and Tilghman, counsel for the caveators, respectively appearing, and producing divers testimony, some in support of an English John Reynolds, and some of that under an Irish John Reynolds, neither of which is satisfactory to the Board, therefore the said caveats are dismissed, and patents allowed to the said settlers, &c." Thus it appears that so late as 1794, the Board of Property examined this matter, and not only decided against the claims of those representing themselves as the heirs of John Reynolds, but directed patents to issue to the settlers. This decision, independent of the Escheat Warrants of 1769, goes far towards establishing the point that I am now considering, particularly if taken in connexion with the other strong presumptive evidence. [Here Mr. Ross also commented upon the Report of the Board of Property, made in 1784, and the petition presented to the Legislature in 1831, together with the report of the committee, to whom had been referred the petition.]

To refute this evidence, you have the declarations of Samuel Reynolds that he is an heir; made at different times and to different individuals, once I believe before the committee of the Legislature. The church records of Chichester, in England, have also been offered in evidence, to show that John Reynolds left heirs.

First, as respects the declaration of Samuel Reynolds, I would observe, that they can have no weight with you in your decision of this point: as well might the commonwealth call upon you to receive the information, which he has filed as evidence of the facts therein stated, as the counsel for the claimants to ask you to receive his declarations, as sufficient evidence of John Reynolds dying without heirs. If he really an heir, why has he not long since established his claim? Why has he surrendered to the commonwealth all his right to the property, as heir, and preferred receiving but one-fifth of this land, when he might have received the whole? The fact is, it is in evidence, that he did endeavour to establish his claim, and was unable to do so. So far then as respects Samuel Reynolds being the heir of John Reynolds, it has been clearly established that he is not. I lay it down to you, however, gentlemen, that the right of the commonwealth to property that is alleged to have Escheated, cannot be defeated by the mere declarations of a person that he is an heir, whether such person be the informer, or a mere stranger to the proceedings of Escheat. The heirship must be clearly and satisfactorily made out. Mere suspicion or rumour that a person is an heir, is not sufficient to justify you in finding a verdict, that property has not Escheated.

Then we have the church records of Chichester to the same point. These records show that there was a John Reynolds born in England, 24th of October 1651. They prove nothing more than that a man by the name of John Reynolds was born in England, and that he had brothers also born there; but whether it was the same John Reynolds who obtained a patent from the Proprietary does not appear; on the contrary it is to be presumed, that it was not the same John Reynolds, because these church records were certified in England in 1790, and in 1794 the Board of Property made their decision upon the caveats filed by the individuals claiming to be the heirs of John Reynolds. There can be no doubt therefore that these records were procured for the purpose of establishing the right of the caveators, claiming under the English John Reynolds; particularly if it be recollected that these records have been until lately in possession of a family representing themselves as descended from John Reynolds. Then, gentlemen, the commonwealth has I think satisfactorily shown, that John Reynolds died intestate without heirs or known kindred.

The next question for your consideration is, did he die seized or possessed of this land?

In support of this branch of the case, a warrant for 1000 acres of land in Bucks county, granted "at the request of Zach Whitpain in behalf of John Reynolds, has been read in evidence. This warrant is dated the 18th of February 1687. A return was made of the survey on this warrant the 7th of May 1687; and a patent issued to John Reynolds the 8th of July in the same year, for 984 acres, the quantity returned in the survey. It has, however, been strongly contended, that these proceedings are no evidence that John Reynolds was ever seized or possessed of this property; and particularly that it was necessary for the commonwealth to have shown that this land was seated and improved by John Reynolds within three years after the survey made upon it. A patent is *prima facie* evidence, that the title is vested in the patentee, [2 Binn. 12,] and in this State, title draws after it, as a legal incident, a constructive possession, unless where the land is held adversely, (4 Serg. and Rawle, 466.) It has been shown that John Reynolds received a patent. This was *prima facie* evidence of his title. It threw the *onus* of disproving it upon the occupiers of this land, who now deny the title. If John Reynolds did not seat and improve this land within three years after the survey, according to the tenth article of the concessions agreed upon, between William Penn and the first purchasers, it rested with them to show it, and not with the commonwealth, as has been contended. Some of you, gentlemen, I believe, own land originally patented to the first purchasers; and can you for a moment believe, that in order to derive a title from the commonwealth, you would be called upon not only to produce the patent, but also to show that the land had been settled and improved within three years from the survey? Who of you could make the requisite proof? Such, however, is not the law. The party disputing your title would be bound to show that the settlement required had not been made. In this case, what evidence have the present occupiers offered, to show that the land was not settled or improved within three years?

They contend that the warrant having been taken out by Zach Whitpain, the inference is strong that John Reynolds never was in this country; and consequently, that the land could not have been settled by him. Zach Whitpain took out the warrant in behalf of Reynolds, and acted as his agent. If, therefore, you believe that Whitpain settled the land, it was the same as if Reynolds himself had done it; the maxim of the law being, "Qui facit per alium, facit per se."

The recital in the patent to Struttell, is also relied upon to show that this land had not been settled, and that the Proprietary Government had resumed the grant. Upon an examination of the re-survey of 1781, you will find, gentlemen, that no part of the 500 acres patented to Struttell, was embraced within the Reynolds' tract. This therefore can be no evidence that the Commonwealth resumed the grant, neither is there any thing in the recital which proves that Reynolds did not settle the land; it is the mere representation of an individual applying for land made in 1742, fifty-five years after the patent to John Reynolds. It was impossible, therefore, for Struttell to have known whether the land had been seated or improved within the three years; at any rate, his declaration is no evidence of the fact. On the contrary, it is evident from the letter of James Steel, written in 1759, that the land had been for some time settled previous to that period. So that the representation of Struttell is expressly contradicted by this letter of Steel's, who it seems at that time assumed the charge and care of this property.

It is manifest that the Commonwealth has always admitted that John Reynolds was seized and possessed of this land, and that she has done no act, from which the presumption can be drawn that Reynolds forfeited his title to it. In granting the Escheat Warrants of 1769, in making the re-survey of 1781, and the contract of 1784; in issuing patents to Betts and Bonner, and in



deciding upon the caveats filed by Isaac and Jesse Reynolds; and in the course pursued by the Legislature at the last session relative to this matter, the Commonwealth has always proceeded upon the ground that Reynolds had been seized of this property. This alone would be sufficient evidence, that Reynolds had obtained a perfect title. But there is still stronger evidence of it, and such as must be decisive of this question. You have the acts and declarations of the settlers themselves, from the year 1751 to 1831, admitting that John Reynolds had been seized and possessed of this property. You will find upon referring to the petition presented at the last session of the Legislature, that so early as 1751 the settlers entered into a contract for the purchase of this land with a certain Emanuel Rouse, who represented himself as a purchaser from the heirs of John Reynolds. This contract, however, was not carried into execution, Rouse being unable to make such a title as the settlers required. If Reynolds had forfeited his right, why did they thus wish to purchase the property from a person professing to derive title from the heirs of Reynolds? But again, in making application for the Escheat Warrants, they say "that a certain John Reynolds was in his life time lawfully seized in his demesne as of fee, of and in a certain tract of land, situate, &c. Here then you have the clear and explicit declaration of the persons under whom the present occupiers claim; that John Reynolds was lawfully seized of this property. This admission, thus solemnly made, and repeatedly recognised by some of the present tenants, not only in their contracts with the State, but in their conveyances so late as 1813, renders unnecessary any further discussion of this point; and is conclusive that John Reynolds was seized and possessed of this land.

But it remains to be shown, that he was seized and possessed of the land at the time of his death. You have in evidence the certificate of the Recorder of this county, that upon examining the Record of Deeds for said county, from the year 1684, there is no Deed on record from John Reynolds for any land in Bucks County. You have also the certificate of the Recorder of the city and county of Philadelphia, that there is no conveyance on record in his office, made by John Reynolds from 1684 to 1776. If Reynolds had made a conveyance of this land, the deed must have been recorded in one of those offices; consequently, if you believe that he was ever seized and possessed, you must also believe that he died so seized and possessed. I think, gentlemen, that you will find no difficulty in making up your inquiry, as to the second point of inquiry, to wit:—"That John Reynolds died seized and possessed of this tract of land, now claimed by the State as an Escheat."

Before I proceed to consider the remaining question for your inquiry, it may be proper for me to notice some of the points, that have been raised by the counsel for the tenants. They consist of two leading questions:—1st. Have the Proprietaries, or the Commonwealth, done any act that amounts to a direct or implied waiver of her right to the Escheat? 2d. Have the occupiers of the land acquired a vested right in it by occupancy, improvement or otherwise? As to these points, I think there is no difficulty. What have the Proprietaries of the Commonwealth done to waive the right? It is urged, that they have lain by and acquiesced, until the possessors had obtained a title? In what does the evidence of this consist? It is admitted, that so early as 1739, the Proprietary Government exercised a control over it, and that in the years 1767 and 1769, she claimed the right to it, upon the representation of the settlers themselves. This right has also been recognised by the Commonwealth, with the consent of the settlers, in 1781, '84, '87, '94, and in 1831. Is there any thing in all this that has the least semblance to an acquiescence in the claim of the occupiers of the land, or to a relinquishment of her own right? For my part I can see none. It is also said, that she has waived her right by receiving

purchase money from some of the tenants; as well as by the issuing of Escheat Warrants; thereby granting the pre-emption right. The purchase money that was paid was in pursuance of the contract which the settlers themselves made the State, and was founded entirely on the admission by the occupiers themselves, that the State had a right to this land as Escheated property.—So far, therefore, from this being a waiver, it on the contrary, is a positive assertion of her right, in consequence of the Escheat.

Then, as respects as the Escheat Warrants. It is contended that these warrants have vested a title in the tenants; and that the act of 1787 cannot under such circumstances extend to Escheats, happening before the revolution. For the support of this doctrine, the 2d provision of the 15th Section of the Act of 1787, is relied upon. This section provides, that the claim of no person shall be affected by the Act of 1787, who shall be possessed of any Escheat happening before the revolution, by virtue of an Escheat Warrant. But the next section provides, nevertheless, that such Escheat Warrant and survey made thereon, must be returned into the office of the Surveyor General, within two years after the publication of the act, and also provides that the purchase money, together with the interest due thereon, be satisfied within one year thereafter, where such survey hath not been duly returned and satisfaction made for the land before. In order, therefore, to secure these persons from the operation of this act, it is necessary for them to show, that the surveys upon their Escheat Warrants, were returned into the Surveyor General's Office within two years after the publication of the Act; and also, that the purchase money and interest was paid within one year after the return of the survey. Have they shown this? Unquestionably they have not. On the contrary, there have been but five returns of Surveys on these Warrants adduced in evidence; some of which were returned so late as 1814; and only three individuals have paid any part of the purchase money. The Escheat Warrants, therefore, do not take their case out of the operation of this act of 1787. It is true, they gave them the pre-emption right, in preference to Ellicott and Kinsey, and indeed, all others. This right, however, has never perfected so as to give them a title, excepting by Betts and Bonner, who have obtained patents. (Mr. Albert Smith, one of the counsel for the settlers, here referred the Escheator to the Acts of Assembly, providing for the payment of the public debt, and the acts generally relative to the patenting of lands, to show that the limitation, in the 16th section of the Act of 1787, had been extended, even at the last session.) I do not think, gentlemen, that the acts referred to by Mr. Smith, relate to cases of Escheat Warrants. Two of them were passed previous to the act of 1787, and relate to Indian lands, the others, I conceive, do not extend the limitation mentioned in the act of 1787. But I will even admit that they do; nay, I will go further, and admit, for the sake of argument, that these settlers have a title by their Escheat Warrants; still it will not affect the question we are trying, it only establishes the fact, that this land Escheated before 1769, and this is all that is necessary for the Commonwealth to prove. In considering this case, you are not limited to any time of finding when the Escheat happened; the question is, "Whether this land ever did Escheat?"—and it is this which you have sworn to try. The time when the Escheat happened is totally immaterial; and your finding the Escheat, does not annul the contract. It is, in fact, the ground upon which the contract was made; and unless you find that this land has Escheated, either in 1769, or at any other period, I do not see how the contract ever can be enforced, or the purchase money recovered from these tenants. If the land never did Escheat, (and this is the allegation on the part of the tenants,) the State certainly had no right to the property; and, therefore, could not contract for that, which did not belong to her. In or-

der then, to establish this contract, it is necessary to prove that the land has Escheated. But whether this contract can be enforced, forms no matter for your consideration. The point now considering is, whether the State waived her right by issuing these Escheat Warrants. From the view that I have taken of these Warrants, she most assuredly did not.

We now come to the other point, viz: Have the occupiers of the land acquired a vested right in it by occupancy, improvement, or otherwise. There is no doubt that occupancy of unappropriated land will give a pre-emption right, and which if diligently pursued, will give to the occupant a complete equitable title.—To such title even the right of the Commonwealth, or of the person subsequently deriving title from the commonwealth, will be postponed. The case under consideration is not, however, a case of unappropriated land.—The title to the land in question had passed from the Commonwealth to John Reynolds, and had become vested in him. There is another mode in this state of obtaining title to land by mere occupancy, and that is under the Statute of Limitations. The commonwealth, however, is not affected by the Statute of Limitations, although is has been urged upon you, apparently with some degree of seriousness, that she is. The statute does not run against the Commonwealth; but even if it did, she could not be barred in this case, as at no time has there been an adverse possession of these lands.

Mr. Smith, with much ingenuity, has endeavoured to show, by a calculation of interest, that these lands must have been settled previous to the year 1720, and that they were so settled with the consent of the Proprietary Government. A letter written by James Steel, in 1739, in behalf of the Proprietaries, for the purpose of preventing the commission of waste, has also been read in evidence to show that these lands were settled with the consent of the government. It is then argued, that if settled at that time with the consent of the Proprietaries, the period that has elapsed, accompanied by their quiet possession and improvements, would secure to them a right of property against the sovereign power of the state itself. However, this may be, suffice it to say, that the settlers themselves have never denied the title of the Commonwealth; and that, so far from claiming under a grant from the State, accompanied by possession and improvement, they have not only accepted Escheat Warrants, but have contracted with the State in 1784, for this very land, and which contract has been recognised by them in the conveyances made, so late as 1813. All pretence, then, of a claim of this kind, is negatived by almost every act of the settlers themselves. Many cases have been referred to, and much law cited by the counsel for the tenants in possession, in support of their different positions, but which, so far as I am able to judge, do not apply to the facts of this case. The principles laid down are not denied, but merely their application to the case under consideration.

The third and last subject matter for your inquiry is to ascertain in whose hands or possession this tract of land now is. This point has also, I think, been satisfactorily shown. It is proved that a printed notice was served upon, I believe, 34 persons, either personally, or by leaving a copy at their dwelling-houses. The substance of this notice was, that an Escheat Court would be held on a particular day, to ascertain whether a certain tract of land, a part of which was in their possession, had escheated to the Commonwealth. The counsel who have appeared before you, acknowledged that they represented the persons who were thus notified, but have not attempted to show that any part of this land was in their possession. On the contrary, they have alleged that the title to this property is in the persons notified, so that you have thus the express admission of these settlers, made through their counsel, that they are in possession of the land. In addition to this, you have the acknowledgement of some of the tenants themselves, made to the constable who served the notice

and of others by signing the petition presented to the legislature, amounting altogether to about twenty persons. If you entertain any doubt as to the persons in possession of this property, you have it in your power to adjourn until further evidence on this point is adduced. I do not think there is any necessity for this measure, as the point in my opinion is clearly proved.

It requires twelve of your number to find the Escheat. As many, however, as believe that the land has escheated, may also sign the Inquisition. If twelve do not agree, no Inquisition of Escheat can be returned. You may separate the land which has been Patented and paid for, and return the rest as Escheated; or you may Escheat the whole tract, and leave the Patentees to prove their title upon a traverse of the Inquisition. This latter mode will be the more proper, as the commonwealth alleges the Escheat to have happened previous to 1769, and long before the Patents were issued to Betts and Bonner.

I have now, Gentlemen, conscientiously discharged what I believed to be my duty; and I trust that you will enter upon the performance of yours with a single eye to the authority of the laws, and the maintenance of those principles of justice to which the Commonwealth is entitled equally with individuals. We are all bound to contribute something to the government that protects us in our rights, and secures us in our possessions, and it is but fair that the tenants of this tract should pay something to the Commonwealth for the land they occupy, and which they expressly admit has been granted to them by the Commonwealth. Let your decision, however, be made without any regard to the consequences that may follow; and pause ere you disregard not only the rights of the Commonwealth, but also the solemn acts of the tenants themselves, admitting all that is now asked. The case is in your hands. I have fulfilled my duty, and it remains for you fearlessly to perform yours.

The Inquest returned the following verdict "That John Reynolds, in the writ named, did die intestate, without heirs or known kindred, and that the land which was patented to him the 8th of July, 1687, lying and being in the county of Bucks, has not Escheated to the Commonwealth of Pennsylvania."

#### GOVERNOR MIFFLIN'S MESSAGE.

The following message should, in point of time, have preceded that contained in our last number. The present one having been delivered at an extra session of the Legislature, was overlooked. The message calls to mind some interesting events of the period when it was written.

FRIDAY, AUGUST 13th, 1793.

The Address of the Governor, being called for by Mr. Smilie and Mr. Smith, was read as follows, *to wit*,

*"Gentlemen of the Senate, and Gentlemen of the House of Representatives!"*

"The state of the Union, and of Pennsylvania, as an important member of the Union, renders the present session peculiarly fortunate. The extensive commercial intercourse, that subsists between the United States, and some of the belligerent powers of Europe; the solemn obligations of treaty, by which we are pledged to others; the sentiments of a cordial friendship, which cement our alliance with one party; and the justice which, as a nation at peace, we owe to all the parties; are considerations of such variety and importance, as cannot, I think, be contemplated by any patriotic citizen, without solicitude and apprehension. But, however great the difficulty may be, under these circumstances, of preserving the neutral character, in a manner universally satisfactory, it is certainly the duty of those, with whom the administration of the public affairs is

entrusted, to attempt the arduous task; and, I am confident, that, recollecting the calamities, which we have formerly experienced, and reflecting, with becoming gratitude, upon the present prosperous condition of our country, you will approve and sanction every just and constitutional exertion, that is calculated to maintain the dignity of our government, and to avoid a participation in the war.

"Upon this meritorious principle, and in order to put the citizens of America on their guard, at this critical period, the President issued a proclamation, declaring that the duty and interest of the United States required, that they should, with sincerity and good faith, adopt and pursue a conduct friendly and impartial towards the belligerent powers; and, as the letter, which communicated this proclamation, expressed a confidence, that injunctions, so interesting to the happiness and prosperity of the United States, would have the benefit of my aid, to promote their general and strict observance in Pennsylvania, I thought it incumbent upon me, likewise, in the most public manner, to recommend the subject to the attention of my fellow-citizens; and to exhort them faithfully to conform to the disposition, which the President had officially recognized and prescribed.

"This amicable and impartial disposition, being thus announced on behalf of the General Government, some occurrences soon rendered it necessary to provide an adequate remedy, in case of any violence being committed by the belligerent powers, upon vessels within the jurisdiction and protection of the United States; or, in case any of those powers should commission, arm and equip privateers, within our ports; a practice deemed inconsistent with the duties of neutrality, and dangerous to the peace of the nation. Accordingly in the capacity of Commander in Chief of the militia of the commonwealth, I received instructions from the President of the United States, to interpose in either of those events; and, with the aid of the militia, to detain the aggressor, in the first instance; or the privateer in the second; until the President should decide upon such further proceedings, as the occasion might require.— These instructions being immediately communicated to the Board of Wardens, with a request that they would pay a vigilant attention to the subject, I was assured, that proper measures would cheerfully be pursued, for ascertaining and reporting, without delay, every transaction, that appeared to militate against the peace and neutrality of the port.

"Permit me here, gentlemen, briefly to recapitulate the several cases that have occurred under the President's instructions: referring, however, for a more particular statement to the documents which I have directed to be laid before you.

"The first was the case of the ship *William*, brought into the port as a prize to the French privateer, called the *Citizen Genet*, but captured, as it was alleged, within the limits of the protection of the United States.— The Court of Admiralty for this district having decided against its own jurisdiction, as to trying the merits of that allegation, the President requested, that I would order a party of militia on board of the ship, for the purpose of keeping her in safe custody, until his determination should be had upon the subject. With this request I immediately complied; but, upon its being officially intimated to me, that a subsequent arrangement had been made, for leaving the ship, in the possession of the French Consul, while the legitimacy of her capture was under consideration, I directed the party of militia to be withdrawn. After this direction was given, however, and notified to the French Consul, that gentleman transmitted to me a written instrument, complaining and protesting against the seizure and detention of the prize.

"The next instance was attended with more difficulty. On the twenty-second day of June, the Master Warden suggested to me, that the *Little Sarah* (now

called the *Little Democrat*) a prize to the *Embascade* frigate, was fitting out in the same manner as privateers; and, this information I immediately communicated to the President. On the twenty-fourth day of the same month, the Master Warden made a more particular report on the subject, which was, likewise, submitted to the President's consideration. But, as I did not receive any directions in consequence of these communications, I presumed that either the case itself, was not within the meaning of the general instructions which had been given; or that the equipments mentioned in the reports of the Master Warden, did not sufficiently ascertain the fact, that the vessel was intended for a privateer. On the fifth day of July, however, the Secretary at War represented to me, that since the report of the Master Warden, such indirect information had been received, as would, if founded, render it indisputable, that the *Little Sarah* was arming and equipping as a cruiser; and, thereupon, I instituted the necessary enquiries, for accurately ascertaining the circumstances relating to the vessel. The information which I collected, confirmed the opinion that I had originally conceived; and afforded reason to suspect that she intended shortly to leave port. In order, therefore, to obtain an opportunity for the President (who was then absent from the city) to decide upon the propriety of forcibly detaining her, as she was declared to be the property of the government of France, I directed the Secretary of the commonwealth to wait upon the Minister of the Republic, to represent to him the circumstances of the case, and to request, for the preservation of peace and harmony, that he would give directions for suspending her departure. But as the Minister would not enter into any satisfactory assurance in this respect, I thought it my duty, immediately to instruct the Master Warden of the port to prohibit any pilot from taking charge of the vessel; and I issued orders to the Adjutant General for making a draft from the militia, for the purpose of carrying into effect the President's instructions. The necessity of an interposition, in this mode, was fortunately, however, superseded, by an explanation with the Minister of France, which induced the Secretary of State to believe, that the vessel would not be permitted to sail, till the President's sentiments on the subject were declared; and, upon the request of the Secretary of State I discontinued the military arrangements, which had been previously directed.

"A few days subsequent to this transaction, the French Consul represented to me, that an English armed vessel, called the *Jane*, carrying sixteen guns, provided with a Letter-of-Marque, and designed to cruise upon our coasts, had arrived at Mud-Island; and, referring to the treaty of amity and commerce between the United States and France, he requested that orders might be given to prevent this vessel from entering the harbour. Upon enquiring, however, more particularly into the facts, the Master Warden reported, that the ship came hither to take in a cargo for the Island of Jamaica; and it appeared that her equipments and commission were intended for protection, in a course of commerce, and not for offensive war, I did not conceive that the case was comprehended within the provisions of the treaty; and, therefore, I submitted the Consul's representation, and all the documents relating to it, to the President; whose opinion, I believe, corresponded with mine upon the subject.

"Though such were the sentiments entertained on the arrival of the *Jane*, it was soon suggested, that her captain, having refitted her in a warlike manner, was endeavouring to increase the number of her men and guns. A vigilant attention was, therefore, given to all her operations; and every article of authentic intelligence that I collected, was, without delay, transmitted to the President; who desired that the vessel might be stopped, in case she should be found augmenting her force, and about to depart. On these points, conclusive evidence was, at length, obtained; and it became



my duty to provide, with the aid of the militia, for detaining her. But, in the course of a correspondence with the President on the subject, I was informed, that, in consequence of an arrangement with the British Minister, it was deemed unnecessary, at that moment, to interpose with the militia, although it was expected, that I should employ such means of coercion, as were in my power, for stopping her, should she attempt to depart, before a stipulated period, and without a determination upon her case. The vessel, having eventually complied with the injunctions, that were given, for the reduction of her military force, was permitted to prosecute her voyage.

"But, in the course of these transactions, I clearly discovered, that it would be impracticable to execute the President's instructions by drafts from the militia, made on the spur of the occasion. It was obvious that the equipment of privateers, and the commission of other outrages upon the neutrality of the port, might take place in the stream of the river, at a considerable distance from the shore; and should any opposition be given to the measures, that were directed to be employed in such cases, for detaining the offending parties, success would be rendered doubtful; the honor of the government might be committed; and the tranquillity of the city must be disturbed. With a view, therefore, to discharge the duties imposed upon me, in a manner the most efficient and the most safe, I stationed a party of militia at Mud-Island, and erected a battery there, so as to command the navigation of the Delaware; having previously communicated my design to the President, and obtained the Attorney General's opinion in favour of its legality. I enjoy the satisfaction, indeed, of knowing, that the arrangement was generally approved; and, I am confident, that, on your part, you will not only cheerfully defray the incidental expenses (of which, together with copies of the orders, that have been issued, from time to time, an account will be transmitted to you) but that you will, also, provide for the continuance of so necessary an establishment, upon a more perfect plan; at least, during the existence of the European war. The charge for the pay and rations of the militia will eventually be exhibited against the General Government; to whose officers I am indebted for the loan of arms and ammunition; but it will be necessary, in the meantime, that the Legislature should make an appropriation for repaying to the Bank of Pennsylvania, a sum of two thousand dollars, which (being borrowed on my personal credit) has been expended, with the strictest economy, in maintaining the men, raising the platform, and making the indispensable repairs, at the fort.

"The advantage of this arrangement became every day more apparent, particularly when the President, in explanation of his general instructions, for preserving our neutrality, declared, that no privateer, which had been, or should be, fitted out, within the United States, shall be permitted to find an asylum in any of our harbours; and that every prize, taken by such privateers, should be seized, on her arrival within the jurisdiction of the respective states, for the purpose of being restored to her owners, at the time of the capture. Paying a due attention to the President's declaration, you will perceive by the papers, which I have directed the Secretary to deliver, that the French privateer, called the Citizen Genet, one prize taken by her, and four prizes, taken by the Little Democrat, have already (and almost all on one day) required an interposition of the militia, unless a party had been actually on service, and a battery erected, at Mud-Island, could not have been procured with sufficient facility and dispatch. Some benefit has, likewise, I believe, been produced by these means, in relation to the peace and order of the city; which, at one period, were so annoyed, as to induce the Mayor to request a detachment of militia, in aid of the civil authority: and, upon the whole, it is not improbable, that the knowledge of our being prepared to re-

sist, may happily contributed to prevent, an infraction of the neutrality of our port.

"During your recess, gentlemen, the new system for the regulation of the militia, as far as it depends upon the appointments of the Executive, has been put into operation; but the election of officers, chiefly in the neighbouring brigades, have been attended with considerable embarrassment, and few of the returns have hitherto been rendered. Considering the importance, at all times, but, particularly at present, of this national safe-guard, a revision of the system, will, I think, be expedient; and it has been suggested to me in a memorial from the officers of the First Division, that for the purpose of ensuring punctuality, energy, and responsibility, some additional penalties (accompanied with effectual means for recovering them) should be imposed on the neglects and delinquencies, prohibited by the law; some more adequate compensations allowed, for the labour and service which it requires. A positive provision for deciding on the contested elections of the regimental officers, would, likewise, be useful; but you can best judge, from your own knowledge of the disposition and interest of the various parts of the state, whether the allotment of a greater number of days for exercise, in some, or all the counties, would not be productive of a public benefit, sufficient to compensate for the private inconveniences that may ensue.

"It gives me sincere pleasure upon this occasion, to inform you, that our fellow-citizens on the frontiers, have been very little molested by the Indians, since your adjournment; and that, consequently, it has not been necessary to make any auxiliary drafts from the militia, in support of the three rifle companies, that were authorised to be raised for their protection and defence. I cherish a hope, indeed, that the measures, which have been pursued by the General Government (and to which, at the instance of the President, I have given all the aid in my power) will terminate in peace: but till the event of the treaty, which is now negotiating at Sankusky, is known, or should that event be unfavorable to your wishes, you may be assured, that I will not remit the lawful exertion of the Executive authority, to prevent, or to repel, the hostility of our savage enemy. The accounts of disbursements (together with several other documents) respecting this service, will be presented to you, agreeably to the requisition of the act of Assembly; and I trust, that, after a candid examination, you will be of opinion, that the appropriated fund has been applied to its proper objects, with fidelity and economy.

"While adverting to the performance of the various duties charged upon the Executive Department, by the laws of a preceding session, I have always felt peculiar satisfaction in directing the legislative attention to the contracts for improving our roads and rivers. Upon this subject I have instructed the Secretary to prepare and lay before you, a report, comprehending, in one point of view, all the objects of improvement, the names of the respective contractors and their sureties, the sums appropriated for each object, the sums advanced on the several contracts; and remarks (referring to the corresponding vouchers) upon the progress, or execution, of every particular work. In consequence of the general order, that has been issued, I expect, likewise, shortly to obtain, for your information, an official report, founded upon actual examination, of the fidelity, with which the contractors have discharged their several engagements; and of the public benefits, that have been derived from so liberal an expenditure of the public wealth. In the meantime, you will receive such of the surveys, as have been returned by the Commissioners, appointed, under the act of the eleventh of April last, to view and lay out the road from Philadelphia to the borough of York; the road from M'Call's ferry to the line of the state of Delaware; the road from Prater's to the west side of Chesnut Ridge; the road from Spiker's to Cherry's mill; the road from Reading

to Presqu' Isle; and the road from Strasburg towards Newport. To some of these surveys, however, objections have been offered by the neighbouring inhabitants, the propriety of which it is your province to consider; as well as to decide upon the respectable application that will be laid before you, for authorising a small, but advantageous alteration, in the course of the state road, running between Turtle creek and Pittsburgh. I regret that I cannot add to the communications on this subject, an account of any progress being made, in laying out the town at Presqu' Isle: but the state of that country and the other reasons assigned in the report of the Commissioners, will, I am persuaded, be thought a sufficient justification for the delay that has taken place.

"In compliance with the respective laws, measures have been pursued to procure an enumeration of the inhabitants of the state; and to execute the preparatory arrangements, respecting the institution of the Loan-office; though in the latter case, difficulties have occurred, for the removal of which the Commissioners of several of the counties will, probably, solicit your interposition. The laws of the last session, the volume of laws re-published, the militia law, and the rules of military discipline, have been printed, and distributed according to the directions of the Legislature; and I have also contracted, under your authority, for the re-publication of the laws, passed antecedently to the year one thousand seven hundred and eighty-one. I have not yet, however, been able to procure the octavo volumes of the acts of Congress, directed to be purchased; as a new edition became necessary to supply the number specified in the law, but they will be ready, I hope, in the course of the present session.

"On viewing the actual state of our finances, I cannot avoid remarking the very advantageous alteration produced by those fiscal arrangements, which have been made, since the establishment of the present constitution: for the payment of our state debts; the extinguishment of the various emissions of paper money; and the consolidation of the public resources; have obviously introduced system and certainty, where disorder and embarrassment formerly prevailed. Still, however, it is of importance that more effectual means should be devised for the collection of the arrearages of taxes; and for disengaging the product of the Land-office (which since the fourteenth day of March last, has amounted to two hundred and twenty-six thousand six hundred and four dollars) from the delays and accidents, incidental to the practice of admitting applications, before the parties are prepared to pay the stipulated price for their lands. Some precaution will, likewise, be necessary to guard against the grant of warrants for a greater quantity of land, than remains the property of the public.

"You will perceive by the papers, respecting the Bank of Pennsylvania, that, in conformity to the opinion of the Attorney General, I made an early subscription, on behalf of the state; and that, after having received information from the President and Directors, that the institution was duly organized, I issued warrants, at several times, in favor of those Gentlemen, for the gross sum of one hundred and sixty-three thousand, four hundred and sixty-nine dollars, and eighty-three cents, in six per cent. stock; one hundred and thirty thousand, four hundred and sixteen dollars, and thirty-three cents, in three per cent. stock; and two hundred and sixteen thousand, one hundred and one dollars, and twenty-five cents, in deferred stock; together with three hundred and seventy-four thousand, two hundred and seventy-one dollars, and six cents, being the specie sum, which according to the reports of the proper officers, might be applied, independently of the prior appropriations, and without entirely exhausting the Treasury, towards the payment of the state subscription. The aggregate of these sums (estimating the stock at the rate prescribed) amounts to seven hundred and fifty thousand dollars; so that there is a balance of two hundred and fifty thousand dollars, which, I shall of course obtain on loan

from the Bank (according to the stipulation of the act) for the purpose of completing the price of the public shares.

"From the statement that will be exhibited to you, in pursuance of my directions, you will find, that since the first day of January last, the payments into the Treasury, (exclusive of those which have been made in bills of credit) being added to the balance of two hundred and eighty-four thousand six hundred and fifty-nine dollars, and forty-four cents, previously existing, constitute a sum of six hundred and seventy-five thousand four hundred and fifty-nine dollars, and fifty-eight cents; and the expenditures have amounted to the sum of six hundred and twenty-three thousand and ninety dollars, and sixty-four cents, including, among other articles, the expenses of government, the redemption of the public debt, the defence of the frontiers, the improvement of roads and rivers, the payment of pensions, the specie of subscriptions to the Bank of Pennsylvania, the grant to accommodate Congress (which, according to the representation of the County Commissioners, will be inadequate to its object) and the grant in aid of the Pennsylvania Hospital. On this view, therefore, the balance that now remains in the Treasury, amounts to the sum of fifty-two thousand three hundred and sixty-eight dollars, and ninety-four cents, besides a considerable accumulation of paper money, which you will, no doubt, direct to be destroyed. The Commissioners for settling the accounts of the individual, with the United States, have, I am informed, presented their report, but as no official communication of the result has been made to me, I am only able, at this time, to mention that, from the statement of the Agent on behalf of Pennsylvania, it appears, that the aggregate of our claims for principal and interest, amounted to the sum of thirteen millions three hundred and forty-seven thousand, three hundred and twenty-six dollars, and twenty-four cents.

"Before I dismiss this subject, so intimately connected with the department of accounts, it is proper to inform you, that, during your recess, the Comptroller has refused to submit to the inspection of the Committee of Investigation, the books and papers, that were deposited with him, by the late Agents of the Pennsylvania line. On this occasion I have proceeded with all the circumspection in my power, as well, on the one hand, to procure for the committee the satisfaction which they required, as, on the other hand, to avoid the appearance of interfering, either with the general enquiry instituted into that officer's transactions, or with a particular operation of the impeachment which is now depending. The same motives still induce me to content myself with mentioning the subject, and submitting to your perusal the correspondence which it has produced.

*"Gentlemen of the House of Representatives!"*

"The exercise of your peculiar province, in originating money bills, will, I am confident, equally demonstrate your liberality and economy. In this respect, therefore, I shall only observe, that besides the provision for defraying the charge of defending the port and river Delaware, to which I have already referred, an appropriation will be necessary to satisfy the certificates (amounting to three thousand two hundred and sixty-three dollars and eleven cents) which have been issued for debts liquidated since the last session, beyond the sum of five thousand dollars, heretofore set a part for that purpose. Several documents will, likewise, be laid before you, from which it appears, that the money, allowed for surveying several roads, has been found insufficient.

*"Gentlemen of the Senate! and Gentlemen of the House of Representatives!"*

"Having thus presented to your consideration a general view of the public business, which has been transacted during your recess; of the state of our finances; and of the demands that await an appropriation; I shall not, at this time, press many other objects upon your

attention as requiring the interposition of the Legislature. But, besides referring to your own records, and my former communications, permit me specially to suggest to you, the expediency of immediately establishing a system for the assessment and collection of county taxes; of reforming the interior accommodations of our prisons (on which subject a representation from the Inspectors of the prison of Philadelphia will be communicated to you) of framing a comprehensive and moderate fee-bill; and of improving the regulations of the Health Office. This institution, indeed (as on other occasions I have observed) becomes daily more important to the well being of our metropolis. At this moment an alarm prevails, respecting the appearance of an infectious disorder; which, together with the recent occurrences, that have increased our intercourse with the West-Indies, and the influx of foreigners, must point out the necessity of more strongly guarding the public health by legislative precautions. In the meantime, I have instituted the proper enquiries, to ascertain the nature, extent, and remedy, for the existing disease; and permit me to assure you, that the Health Officer, and the Physician of the Port, aided by the Officers of the Police, and the Gentlemen of the Faculty, will pursue every rational measure to allay the public inquietude, and effectually remove its cause.

"As a discussion on the propriety of reviving several acts, whose legal expiration approaches, will, likewise, employ a portion of the short period, that can be allotted to the present session, it may be proper to remind you, that the duration of the supplement to the act for raising county rates and levies, and the suspension of the act for the sale of located, but unimproved lands, to pay the arrearages of certain taxes, are limited to the thirty-first day of December next; that the act to regulate the exportation of pot ash and pearl ash, has ceased to operate; and that it is questionable, from the terms of the law, whether the existing act, for the suppression of vice and immorality, can be considered as remaining in force, longer than the twenty-fifth of the ensuing month.

"But amidst these subjects of political arrangement; amidst our official cares to advance the interest and happiness of our immediate constituents; shall I be excused if I introduce a claim upon your sympathy and benevolence; and solicit some aid, to alleviate the distress of the inhabitants of Hispaniola, who have taken refuge in our country? The contributions of individuals (though hitherto compassionately and honorably extended) cannot furnish an adequate, or permanent relief: and thus, destitute of friends and money; unaccustomed to our climate; ignorant of our laws, our language and our manners; these unfortunate emigrants are threatened with all the rigours of the approaching winter; and exposed to accumulating misery and want. But the characteristic humanity of Pennsylvania (which has already been moved by the calamities of the case, as the records of the Legislature may evince) cannot, I am persuaded, remain inactive on the present critical occasion: this intimation will sufficiently ensure your attention to the subject; and, whatever course your bounty may pursue, it must, I think, obtain the approbation of our fellow citizens; and excite the emulation of our sister states.

"With the documents relating to the subject, that have been stated, you will receive authentic copies of several acts, and of the journals of Congress which have been transmitted to me subsequent to your last session. And here, let me assure you, Gentlemen, that, as it is one of my most important duties so it has always been one of my highest gratifications, to furnish every species of information, that could either elucidate my transactions, or facilitate yours. It is, indeed, a pleasing reflection to me, that, exercising your constitutional power over the records of the Executive Department, you may, at all times, fairly, and, I hope, satisfactorily, trace the motives, which have influenced my official conduct. In those records, you will perceive the

multiplicity of business, that has naturally flowed from the institution of a government, essentially new in its principles and organization, as well as the extent and variety of the trusts, that have incidentally arisen from our federal connection; from the recent reform in the judiciary, militia, and finance systems; and from the measures prescribed for the defence of the frontiers; the regulation of the Land-Office; the encouragement of settlements; and the improvement of our roads and rivers: And, if a candid enquiry into a discharge of these duties, by convincing my fellow citizens of the ardent disposition, that I have uniformly felt, to promote their interest and happiness, shall add, to the testimony of my own mind, the honor of their approbation, I shall enjoy a reward, which no lapse of time can impair,—no political vicissitude destroy.

"THOMAS MIFFLIN.

"Philadelphia, August 29th, 1793."

#### TO THE PRESIDENT AND DIRECTORS OF THE TRENTON DELAWARE FALLS COMPANY.

GENTLEMEN—In presenting you with an estimate of the cost of constructing the proposed canal for the Delaware Falls Company, I must premise, that the estimate cannot be considered as accurate in quantities in some parts of it, as I could wish, and as would have been if the high water in the river had not prevented a critical examination about the head of Scudder's Falls, in order to determine the quantity of rock to be removed. This can be well done only in the lowest stage of the river.

I have, as I believe, been rather liberal in my estimate of this substance, but I wish to err rather over than under. The whole line is divided into sections of about 168 rods, or 42 chains, exact, except where mentioned otherwise. The whole distance, to a large tree near Lamberton, is nearly seven miles, and is divided into 13 sections, and the estimate made for each section separately.

Beginning at the head of Scudder's Falls, and running to the foot of the same, 40 chains, or half a mile, I call section 1. On this section considerable rock will be found, some of it will quarry up in such small pieces as is fit only for the bank on that section.

I believe the substance excavated would, if placed with some attention, by the largest stone being placed outside, and the second size within them, and the gravel and fine earth inside, this would seem every thing we wish, without a regular wall, except for 6 or 8 chain at the lower end.

I have also connected with this section, the cutting of a passage for the entrance of the water from the head of the falls into the channel of the river, which I have estimated at 260 feet in length, 50 feet in width, and an average of 5 feet deep, as all rock. The whole of the excavation taken from the entrance, I propose shall be thrown into a wing dam, to assist in turning the water into the canal.

In forming my estimate of the expense of opening this passage, I have considered the difficulties of water, and that probably coffer dams must be formed to keep the water from the work, and enable the contractors to take out the rock.

I therefore estimate as follows:—(here follows a particular estimate of the work to be done, and the prices, not including lands and contingencies which are here omitted) amounting to \$70,540.90 cents, as the full amount of costs of making a very perfect work, which will require but little or no repairs when well executed.

I would here beg leave to remark, that the estimates are made upon a canal, no where less than 42 feet on bottom, 60 feet on the top water line, and 6 feet depth of water, from the head of Scudder's Falls to the Assanpink. And where a greater width can be obtained without any material additional expense, it will be done. From the Assanpink to Lamberton, the canal is to be



made 22 feet wide on the bottom, 40 feet on the top water line, and 6 feet deep.

I have considered that about one-half the water would probably be used before passing the Assanpink, and probably more than half, if we include what may be used on both sides of this stream, and near the banks; and assuming these premises as correct, the 40 feet water line, for all that part below the Assanpink, will be amply sufficient.

According to rules laid down by Prony, on velocity of water in streams and canals, and allowing there to be 2 inches descent in each mile, the velocity in the 60 feet canal will be about 1½ miles per hour, this will give 2,019,540 cubic feet per hour, or 33,659 cubic feet per minute.

If we suppose that we can command 14 feet head at the Assanpink and 19 feet at Lamberton, allowing for descent in the canal 2 inches per mile, then we have in one half the water, if used at the Assanpink, a power equal to 306 horses, and if we calculate for the other half at Lamberton, we have equal to 416 horse power. This is sufficient for as many manufactories as the friends of the project can reasonably wish; or if any greater power should be found available, it could be obtained by a dam at the head; which should raise the water one foot above what we have now assumed as the top water line; and we shall then have doubled the whole power from 722 to 1444 horse power. It is assumed, by writers on the subject, that a power equal to 564 horses, will carry 10,000 mule spindles for spinning yarn as fine as No. 48, with 400 looms to weave the same.

I had determined in my own mind to make the Aqueduct over the Assanpink 30 feet width of water way, and 44 feet from abutment to abutment, if there was no pier. If we found rock convenient for founding a pier, it would be advisable to build one, as cheaper than to carry the timber work over without one. If we should therefore have a pier, I would have the two spaces each 25 feet.

The plan for bridges, I have supposed the most simple, to be the best. A truss or bent in the middle of the canal, and string pieces from that to each bend of the canal; if this bent is 3 feet above the water, it brings it on a level with the bank, and it makes it sufficiently high for rafts or boats, without covering to pass under.

The plans which I propose for embankments in the river, on Section 2 to 7, is shewn in a sketch herewith shewn. This is to be varied to suit the case in local circumstances. I have also given a sketch of the bank on Section 11, and manner of securing it against abrasion.

*I think this will make a permanent and safe work, which is very desirable in so important an undertaking, and one which is to give value and usefulness to a large amount of capital to be located, and dependent on its stability and permanency.*

The ground plan of the route, exhibiting the topography of the country in the immediate vicinity of the line, together with a careful designation of the owners of land along the route, as far as can be obtained, is now in the hands of Mr. Potts in preparation, and will soon be laid before you.

Respectfully submitted,

BENJAMIN WRIGHT,

*Engineer Trenton Delaware Falls Company.*

Trenton, June 24th, 1831.

#### ADDRESS OF THE

#### TEMPERANCE CONVENTION.

*To the Inhabitants of Pennsylvania.*

We address you, friends and fellow-citizens, by direction, and on behalf of the delegates, from various Temperance Societies in this State, who sat in conven-

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tion at Harrisburg, on the 24th and 25th days of August last.

The representatives assembled on that interesting occasion, brought with them very animating intelligence of the strong impressions of duty which have most happily influenced the minds of their constituents, and others of our countrymen, inducing them to devote their energies to arrest the plague of Intemperance, which has laid waste the moral and intellectual strength, and beauty of multitudes of many generations past, and which threatens to destroy the happiness and usefulness of innumerable responsible beings, in ages to come.

Will it be presumptuous to express the belief, that nothing inferior to the benevolence which proceeds from the *Father of Mercies*, can incline the hearts, and enlighten the understandings of those, who seek to be instrumental in accomplishing a reformation of this kind in our extensive, and otherwise powerful, prosperous, and always beloved commonwealth.

If the motive to engage in this vast field of arduous and beneficent exertion, be derived from the high source to which we have ventured to allude, all who are dedicated to the service may be consoled by the assurance, that their disinterested efforts will not prove wholly fruitless.

It is cause of regret, that parts of Pennsylvania were not reached in time, by notice of the intended convention, and that in other sections where the information was conveyed, the societies did not receive the questions designed to elicit important facts relating to the causes and the consequences of Intemperance, and concerning the means which had been employed to diminish that evil habit. Notwithstanding these unpropitious circumstances, twenty-two associations appointed representatives, and two transmitted written communications to Harrisburg.

Imperfect as the returns necessarily were, and notwithstanding the failure in procuring any reports from certain portions of the State, the accounts furnished, nevertheless, serve at once to administer gratifying and painful feelings to every reflecting mind.

You will learn with pleasure, that among the triumphs of principle which already adorn our cause, great numbers of distillers have ceased to make ardent spirit—that many country merchants no longer vend it—that some innkeepers have expelled it from their bars—that hundreds of farmers have entirely abandoned it—that the ablest crews who navigate some of the finest vessels owned in our metropolis, have renounced it—that in extensive ship-yards, smitheries, iron-works, forges, and other mechanical and manufacturing establishments, it is voluntarily relinquished—that several thousand intelligent and independent freemen of Pennsylvania have become members of associations to discourage, and if possible to put an end to the use of this seductive and debasing liquor—that other equally estimable individuals of both sexes, are less conspicuously, though less efficiently promoting the same noble purpose—we are sure, fellow-citizens, this intelligence will be welcome, encouraging, and joyful to you. Yet, on the other hand, it will be sorrowful tidings, that the evidence is abundant to prove, that incalculable and unutterable private misery and public evil; that nearly all the crime, and pauperism, which disfigure our character as a people, with their attendant pecuniary demands upon you, are fairly attributable to the overwhelming vice of drunkenness!

The facility and cheapness with which beverages can be obtained, that are productive of such moral and political degradation, afflicting so severely the commonwealth at large, are subjects demanding your immediate and unwearied attention, in order to the application of a remedy.

Permit us, therefore, to invoke your patriotism and philanthropy, and urge the speedy organization of societies, and the re-modelling of those which are already formed, upon the plan suggested in the extracts

from the proceedings of the convention, which accompany this address. The influence of example, and combined effort in the collection and exhibition of facts, will we are convinced, prove to be the most certain means of carrying this noble purpose to a successful issue.

It gives us much satisfaction to feel authorised to proclaim the deliberate opinion of the body that conferred upon us the trust which we are now endeavouring to execute, that it relies solely for success upon the means which indulgent Heaven may bless, in awakening in the public mind the tenderest compassion for the frailty, and just views of the dignity and accountability of mankind in this respect. With reason, truth, and persuasion for advocates, a hope is entertained that ere long the public judgment will be convinced that the abolition of the crime of Intemperance is one of the most important civil designs to elevate the character of the State, and to promote the best interests of its people, which has ever been proposed.

It is moreover due to the convention, and to you, that we emphatically announce another doctrine, which received its unanimous sanction, by the most decided and unqualified disavowal of every thing like *religious sectarianism* in its purposes, and in ardently advising the friends of the cause to avoid all measures which can deserve in the remotest degree, such an imputation.

We have thus, fellow-citizens, very briefly, and we trust candidly performed our service. Upon you it will depend whether any benefits may flow from this humble effort. Ever mindful, however, that human enterprise must prove abortive, without the favour of the *Almighty*, to His especial guidance and goodness, in this work of reformation, we affectionately commend you.

ROBERTS VAUX, of Philadelphia city.  
DAVID LAWSON, of Armstrong county.  
JOHN H. GORDON, of Bucks county.  
WILLIAM TODD, of Lancaster county.  
JAMES STEEL, of Huntingdon county.  
R. N. HAVENS, of Allegheny county.  
RICHARD T. LEECH, of Dauphin county.  
BENJAMIN NAGLEE, of Philadelphia county.

September 1831.

The following is an abstract of the Reports from the several Temperance Societies, presented at the Temperance Convention held at Harrisburg, August 24th, 1831. It is to be regretted that similar information had not been received from every part of the state. Limited, as it is, there is sufficient reason from it, to believe, that an important reformation is going on in consequence of the efforts of these Societies.

#### ALLEGHENY COUNTY.

The Allegheny County Temperance Society, was established May 2d, 1829, the present number of its members 249. There are 9 other associations which are not auxiliary to the county society, containing 773 members; which added to 249 make 1022 in this county. The number of distilleries within the county has not been satisfactorily ascertained. The following extracts from the Reports of several associations, however, show what has been the effect of their exertions within their respective bounds, in arresting the manufacture of ardent spirits.

The Franklin and Ohio Townships, and the East Liberty Associations report that there are no distilleries within their bounds.

The Ross Township Society, organized March 2d, 1829—report, "At the time of its institution there were four distilleries within our bounds; *three* of which have been discontinued from conscientious motives."

The Deer Creek Society, organized November, 1830, report, "There were *four* still houses within the bounds of this Society; *two* have stopped operation, but we cannot say that it was from principle."

The Wilkins Township Society, report, "*Three* distilleries at present in the township."

The Bethany Congregation Society, organized January 5th, 1829—report, "Number of distilleries now in operation within our bounds, is *six*; *two* have been stopped from principle, and *two* from the influence of the Society."

The Pine Creek Society, organized October, 1830,—report, "There are five distilleries in the bounds of the Society. None have been stopped from a sense of duty; but some of them are about to be stopped, partly from that cause, and partly from necessity."

City of Pittsburg, <i>Aleg. Co.</i> Total			
The No. of Tavern licensed in 1829,	129	162	291
Do.	1830,	116	185
Do.	1831,	120	169

The present number 289 being in the ratio of about one tavern to every 170 of the entire population one to every 30 of the taxable inhabitants.

The number of bills of indictment brought in the criminal courts of the county, were in 1829 and 1830.		
In the Court of Quarter Sessions for Co.	67	74
Mayor's Court, City of Pittsburg,	128	154
Quarter Sessions, Cases of Justices of the Peace,	19	20

214 248

The summary convictions before magistrates, which, in almost every instance were for offences caused by intemperance, in the years 1829 and 1830, were not below 350 per annum, at an average expense of \$2 each to the county, and it is presumed from indictments already found that the number for 1831, will equal these two years. From the well known fact that  $\frac{3}{4}$  of all the pauperism and crime of the county are caused by intemperance directly or indirectly, Allegheny county has been subjected for the encouragement of pauperism and crime occasioned by intemperance to an expense of \$18,328 17, in 1829, and \$19,181 20, in 1830.

The reduced consumption of ardent spirits, is not exactly known. The Bethany Congregation Society, say that abstinence is observed, at least, by an equal number to that of their members.

The Deer Creek Society, report the reduction one half within their bounds.

The Pine Creek Society, report, that it is supposed, not more than one-fourth of the whiskey is consumed in the bounds of that society, that there was before its formation.

Several merchants in the city and county, have discontinued the sale of ardent spirits from conviction of duty.

Six drunkards are reported as reclaimed.

The Ross Township Society, report, that it is believed more than half of our farmers, who are not members of any temperance society, have conducted their late harvest operations without ardent spirits, and social treating has become unfashionable.

The influence exerted by temperance societies has produced a very sensible change on the customs of society.

Two cases are mentioned of coal and flour given to families perishing with cold and hunger, being sold by the mother for *liquor*.

#### ARMSTRONG COUNTY.

No County Society. There are five Societies, not auxiliary, established in 1830, excepting one in 1829.—They number 378 members.

At the beginning of 1830, there were 23 distilleries in operation, within the bounds of these societies. Five have been discontinued from principle.

Taverns licensed in 1829, were 31; in 1830, 28; in 1831, 44. The population 17,000—proportion about 1 tavern to 400 persons.

It is believed that the consumption of ardent spirits is one-third less now than at the commencement of 1830.

Three merchants have discontinued the sale of ardent spirits, from a sense of duty.

Eleven drunkards have been reformed since the establishment of temperance societies in this county.

The establishment of temperance societies in this county has had a salutary influence in diminishing profanity and immorality.

#### HUNTINGDON COUNTY.

The Huntingdon Temperance Society, auxiliary to the Pennsylvania Society, was established March 12, 1829; it has 53 members. There are two other associations, whose numbers are not reported—they are not auxiliary.

The number of distilleries not reported. The number is believed not so great as a few years ago.

The number of Taverns licensed in 1829, was	91
Do. do. 1830,	88
Do. do. 1831,	128

The increase of taverns in 1831, is owing entirely to the prosecution of the public works of the county, being principally for the accommodation of the labourers and workmen along the line of the canal and rail way. The ratio of taverns, at this time is, one to 292 of the population.

There were criminal convictions in 1829 and 1830, 53 viz:

Assault and Batteries,	26	Bigamy,	1
Fornication & Bastardy,	5	Assault,	2
Larceny,	5	Disorderly Houses,	3
Malicious Mischief,	2	Affray,	2
Conspiracy,	2	Gambling Houses,	2
Riot,	2	Tipping Houses,	1
Total number of Criminal Cases,	53		

Expenses for criminal prosecutions during these two years were \$4,431 89.

It is believed that the amount of ardent spirits consumed, has decreased within a few years. The present market value of whiskey per gallon 30 cts.

The amount of poor taxes levied in 1829,	\$5,538 99
Do. do. 1830,	5,532 15

Total, 11,091 14

Before the commencement and prosecution of the public works, the poor tax levied would amount to a little more than one-third of the county tax. The increase, may therefore, fairly be attributed to the great number of paupers thrown on the several townships for support, by the state improvements, and whose pauperism is almost invariably occasioned by the too free use of ardent spirits.

Three merchants and two iron masters have discontinued the sale of ardent spirits from conviction of duty.

A great number of farmers have discontinued the use of ardent spirits. Raisings have been effected with but little, and in some instances with no ardent spirits.

#### DAUPHIN COUNTY.

The Dauphin County Temperance Society, formed March 27th, 1829, consists of 101 members. The Female Temperance Society of 86 members, both located in Harrisburg.

Two store-keepers will decline the sale of ardent spirits as soon as the present stock is expended.

Many store-keepers have laid aside the pernicious practice, not long since almost universal, of keeping the bottle on the counter, for the free use of customers, and a number of farmers, mechanics and manufacturers have conducted their business without the use of spirits and one party celebrating the 4th of July, did not permit it to defile the festive board.

One large foundry and several farmers carry on their operations without ardent spirits.

Licenses for 1829, were 125 and in 1830 and 31 they average about 10 licenses less each year, although the population is increasing.

#### WESTMORELAND COUNTY.

No County Society. Rostraven Township Temperance Society was organized the 11th of March, 1829, and now consists of 80 members, many of the respectable and influential inhabitants. Double that number not belonging to the society, have adopted the principle of total abstinence. Few professors of religion are known to use ardent spirits on any occasion.—There are 10 societies in this county.

Five or six distilleries have declined since the commencement of this society, and but one is known to be in operation at this time [supposed in the township.]

There are but two taverns in this township of a population of 1700 inhabitants.

One merchant has discontinued the traffic in ardent spirits.

There are two striking instances of reformation from drunkenness, one an old man, the other in middle life. Not a single case of the habit of intemperance being formed since this society was founded.

It is believed that the consumption of liquor in this township does not exceed one-fifteenth part of what was formerly used here.

#### CENTRE COUNTY.

Centre County Temperance Society, is in its third year; it consists of about 50 members—there is another society not auxiliary, of about 70 members, male and female.

There are about 12 distilleries; none are known to have stopped through temperance principles.

Taverns licensed in 1829, were 45; in 1830, 52; in 1831, 56; the increase of taverns is in advance of population.

Criminals in 1829, were 3; in 1830, 2—at the expense of \$150 34.

There are not many paupers supported by taxes, but many are very poor from intemperance.

Three or four store-keepers have discontinued the sale of ardent spirits.—The temperance cause is certainly on the advance.

Several farmers got in their harvest this year, for the first time, without ardent spirits.

#### CAMBERIA COUNTY.

The Cambria County Temperance Society, formed March 17th, 1829, auxiliary to the Pennsylvania Society—it now has 142 members, principally residents of Ebensburg. Another temperance society is in the borough of Conemaugh; of about 40 members.

There are about 4 distilleries and 40 taverns in the county. Price of whiskey 28 cts. per gallon.

No merchant has given up the traffic in ardent spirits, but all have given up the practice of treating their customers—with the exception of the laborers on the public works, there is very little intemperance in this county.

Four habitual drunkards have been reformed, and many who were rapidly acquiring habits of intemperance, which, in a short time would have been confirmed.

There has been no poor tax in this county for three years.



The criminal convictions for 1830, were 20, viz: Larceny 3, Fornication 1, Riot 2, Assault and Battery about 10, Tippling houses 4,—the expense of which is not known.

#### SUSQUEHANNA COUNTY.

Susquehanna Temperance Society, founded February 1829. There are 17 auxiliary societies, which with the parent society contain about 1000 members. There are no societies not auxiliary.

Three or four distilleries have been discontinued.

The present number of taverns, about 40—ratio 1 to 425 of the inhabitants.

Four or five merchants and three or four taverns have discontinued the sale of ardent spirits.

A number of habitual drunkards have been united to the society—whether their reformation will be permanent is not known.

#### LANCASTER COUNTY.

Columbia Temperance Society, commenced operation on the 11th of June, 1829, under a constitution which left it optional with the signers, (25 in number) either to drink, sell or manufacture ardent spirits. But the experience of six months proving the fallacy of half way measures—on the 6th of December following, a new constitution was formed on the principle of entire abstinence, and from that date, the usefulness of the society was perceived, and its members increased. It now consists of 133 members. There are several other temperance societies in this county, but none properly organized and in active operation but this.

There are 203 distilleries, none are known to have discontinued their operations.

In 1829, there were 293 taverns—in 1830, 319—in 1831, 314 exclusive of 58 in the city of Lancaster; being a ratio of 1 tavern to 205 persons in the county.

The criminal expenses of 1829, were \$7,751 20½ and in 1830, \$10,706 14.

It is supposed that the quantity of ardent spirits consumed in Columbia in 1830, containing upwards of 2000 inhabitants, would cost \$5000, and in the whole county the cost would be \$193,395.

The expense in educating poor children, amounted to \$5,771 28—and the expense of paupers in the poor house \$7,786 93.

Of 228, the average number of paupers in the poor house, it appears from the books that nine-tenths of the whole are brought there through intemperance, and four-fifths of the whole are foreigners. From the foregoing statement, it appears that Lancaster county paid for the support of pauperism and crime in 1830, \$24,264 35.

#### BERKS COUNTY.

Reading Temperance Society, formed the 2d day of July 1829, it has upwards of 100 members.

Two persons who carried on a distillery, have abandoned the business and it has been converted into a dwelling house—where formerly there were about 10 distilleries in and near Reading now there is only one.

Three merchants have abandoned the sale of ardent spirits and have united with the society.

One tavern-keeper has converted his tavern into a private dwelling, from a conviction that the business might prove a curse to his family. A lawyer belonging to the society, who formerly prepared and presented many petitions for tavern licenses, refused on the ground that they can sell all that tavern keepers ought to sell without a license.

The proprietors of four very extensive iron works have banished ardent spirits from their families and workmen; the same may be said of many farmers. On the last 4th of July, 2 volunteer companies in Reading, in a great measure celebrated the day without ardent spirits, at the close of the celebration one of the captains delivered a temperance address. The cause is succeeding beyond the most sanguine expectations.

#### BUCKS COUNTY.

Bucks County Society for the promotion of Temperance, formed September 25th, 1828; it consists of 64 members. There are six other societies. The total number of members is about 300.

The number of distilleries unknown—9 are known to have stopped since the formation of temperance societies.

Six store-keepers have discontinued the sale of ardent spirits, it is believed, from conviction of duty, and two have commenced business, who refuse to traffic in ardent spirits.

Two tavern-keepers have opened taverns in which ardent spirits are not sold; neither has a license.

There were in 1829, 127 taverns licensed—in 1830, 127—in 1831, 128. The present ratio is 1 tavern to 359 persons.

The criminal expenses for 1828 were \$2,207 61—Jurors' wages and mileage \$2,262 78. For the year 1829, criminal expenses \$1,421 73—Jurors' wages and mileage \$2,073 38. For 1830, criminal costs were \$2,197 69, and Jurors' wages and mileage \$2,450 38.

The almshouse expenses were \$3,953 94, and in 1830, were \$3,872 85.

The influence of ardent spirits in increasing pauperism in the county may be estimated by the following:—In 1830, there were received into the almshouse 275 paupers, of whom 94 males and 4 females were reduced to poverty directly by ardent spirits, and 17 males and 44 females indirectly by the same cause.

In one township 30 farmers secured their hay and harvest this season without the use of spirits, who used it two years ago, and in the lower section of the county, a great many farmers have banished it from their farms.

The decanter of spirits is becoming daily less common, as a mark of hospitality. Upwards of 200,000 gallons are supposed to be consumed in the county per annum. During the last autumn ardent spirits were banished from a part of the line of the Delaware division of the Pennsylvania canal.

Newville Temperance Society, established June 1st, 1829, it consists at present of 196 members.

In 1829, there were 13 distilleries—6 of which have been discontinued since the formation of this society.

In 1829, there were 10 stores, all of which sold ardent spirits, to the amount of \$2,000. In 1830, there were 12 stores which sold ardent spirits to the amount of \$750—making a decrease of \$1,250 in one year.

In 1829 and 30 there were 11 licensed taverns—in 1831, there were but 8.

Six drunkards have been reformed, besides a number of tiplers—about 25 deaths occasioned by intemperance.

In 1829, but one farmer cut his crop without ardent spirits—in 1830, there about 12, and in 1831, about 25.

A number of buildings and bridges have been erected without ardent spirits, and it is seldom seen at vendues.

The CONNELLSVILLE TEMPERANCE SOCIETY formed in April, 1829—it now has 156 members.

Every merchant in Conneltsville has ceased to vend the article—and the tavern keepers say their sales have materially diminished, notwithstanding their number has been reduced.

Those members who are farmers cut their grain and attend to their ordinary agricultural pursuits, without the use of strong drink. In one, and only one instance since the formation of the society, one of the members (a farmer) found some difficulty in procuring bands to cut his grain, which having been intimated to some of the members in town, they turned out promptly to his assistance; so in the end he suffered no inconvenience from the absence of liquor. The result of the recent harvest and the one that immediately preceded it, has proved beyond all doubt, not only the utility, but the entire practicability of performing the harvest field labour without the use of strong drink. So far as we have been able to ascertain from observation and enquiry, the harvest just past has been attended with the most cheering and satisfactory results—many farmers have been enabled to reap and gather their grain without the use of any other drink than such as nature provides. Others who have furnished it as in years past, in profuse abundance, do not hesitate to acknowledge, that there has been a consumption, less by one half this harvest, than in harvests that preceded. This it not the acknowledgement of merely a few combined within the limits of our own neighborhood—it is a circumstance of general notoriety—a circumstance that has attended almost every farm in the county.

It is worthy of remark, that prior to the organization of this society, there was scarcely a court passed that was not furnished with one or more cases of assault and battery, or petty larceny, from this place or its vicinity. For two years past, we do not recollect of a single instance of either to have gone from this place, or from the four adjacent townships east of the Youghiogheny river.

The influence of this society in reducing the consumption of ardent spirits, and creating an improved public sentiment has been productive of the most happy effects.

#### NORTHAMPTON COUNTY.

The Northampton County Temperance Society was formed August 14th, 1830. It now consists of 132 members; its operations have been confined to Easton. There are three other societies in the county.

Three-fourths of the poor tax, it is supposed are expended upon persons whose pauperism has been caused by ardent spirits.

In the vicinity of Easton, are four grain distilleries which work annually about 100,000 bushels of grain, and producing at least 100,000 gallons of whiskey.—Besides these, there is not probably another grain distillery in the co.—apple distilleries not ascertained.

Amount paid for the administration of justice in the county, in

1828	\$4641 07
1829	4947 95
1830	5678 17

Number of taverns in	1829,	132
	1830,	132
	1831,	135

The population of the county about 39,000.

The population of Easton, 3528—Taverns in the borough, 15—number of Hucksters who sell beer, &c. &c. 27—number of stores in Easton, 36—number of stores that do not sell ardent spirits, 8—amount of borough poor tax for 1828, \$1417 22, for 1829, 1354 94—1830 1837 75. Three-fourths of the poor tax is supposed to be expended on paupers in consequence of intemperance.

#### CUMBERLAND COUNTY.

The Young Men's Temperance Society of Carlisle, formed Feb. 1, 1831, has 130 members. The Cumberland County Temperance Society, was formed 20th April 1830, it has 150 members. These societies have had a beneficial effect upon the customs and fashions of society. Two distilleries have been discontinued on conscientious grounds, and the quantity of ardent spirits consumed has diminished about one-third.

#### PHILADELPHIA COUNTY.

Kensington Temperance Society of Philadelphia, instituted 23d of June, 1828, has 80 members.

It was always the practice of the ship-builders to estimate one hog-head, and sometimes two, of rum, and one barrel of sugar, in the building of a large vessel; this was without the provision which was always made for the launching the vessel, which was a heavy expense.

One ship-builder has built since the formation of this society, 18 vessels, measuring 3300 tons, and repaired many old vessels without rum, employing 35 men per day. Another ship-builder has built 11 vessels measuring 2000, does a large portion of old work, and employs on an average 40 men per day—without liquor.—Two ship-joiners employ from 10 to 30 men without liquor. The allowance to all those was a pint of rum a hand.

The Young Men's Temperance Society of Philadelphia, was formed in 1828—it has between 7 and 800 members, whose pledge is to abstain from ardent spirits except as a medicine.

1829	1830	1831	In the city of Phil'a.
Inns,	99	113	57
Taverns,	346	287	158
	752	522	not obtained—County Phil'a.

In 1828 there were 2,500 Inn's and tavern's and licensed groceries, in the city and county of Philadelphia, in the habit of vending ardent spirits. This considerable reduction, amounting to three-fourths in the number of taverns, inns and groceries, may in a great measure be attributed to the operation of the act of the 7th of April 1830, aided by an enlightened public sentiment. The proportion of taverns and inns to the population, is about 1 to 220 souls.

The Second Young Men's Temperance Society of Philadelphia, was formed about the last of May, 1830, on the principle of abstinence, except for medicine, from ardent spirits—it has since been re-organized upon the principle of total abstinence from all intoxicating liquors, without any medicinal exceptions. It promises to be very efficient.

#### RESPECT TO CHIEF JUSTICE MARSHALL.

At a meeting of the bar of Philadelphia, held in the Circuit Court Room on the 30th of September, 1831, WILLIAM RAWLE, Esq. was appointed Chairman, and JOHN SERGEANT, Secretary.

The following resolution was unanimously adopted:—

Resolved, That a Committee be appointed to wait upon Chief Justice Marshall, and express to him the reverence of the bar for his pre-eminent character, talents, and services, and request him to honor them with his company at dinner at such time as may be convenient to him.

The following members were appointed the Committee, to wit:—

William Rawle,	Wm. H. Tod,
John Sergeant,	R. Peters,
Hurace Binney,	C. J. Ingersoll,
P. S. Duponceau,	Josiah Randall,
Geo. M. Dallas,	

*Resolved*, That the Hon. Judge Hopkinson be requested to unite with the committee in carrying into effect the above resolution.

At an adjourned meeting at the same place on the first day of October, 1831.

Mr. RAWLE, from the committee appointed yesterday, reported that the committee, together with Judge Hopkinson, who in compliance with the wishes of the bar, united himself with them, had waited upon Chief Justice Marshall, and by their Chairman, communicated to him the resolution of the bar with the following address:

SIR:—The Bar of Philadelphia are much gratified by the opportunity which your visit to this city affords us of testifying the high respect and profound veneration for your character felt by us all.

We cannot but consider the whole nation indebted to one who for so long a series of years has illuminated its jurisprudence, and enforced with equal mildness and firmness its constitutional authority, who has never sought to enlarge the judicial power beyond its proper bounds, nor feared to carry it to the full extent that duty required.

In respect to many of us, your exercise of the high office of Chief Justice of the Supreme Court was anterior to the commencement of their professional existence. With some, the recollection of your appointment revives the scene of the satisfaction that it gave; with all, there is a perfect conviction, that the station never was or could be better filled.

It has been noticed with infinite gratitude to the great Dispenser of all earthly bounties, that the hand of time, though it may affect the body has not diminished those great powers by which the mind of the individual whom we address, has been so long, so eminent, distinguished.

As a testimony of the sentiments we entertain, the Bar respectfully solicits the honor of your company to a dinner, on any day you may think proper to name, agreeably to the following resolution this day adopted.

WILLIAM RAWLE,  
JOHN SERGEANT,  
HORACE BINNEY,  
PETER S. DUPONCEAU,  
W. H. TOD,  
GEO. M. DALLAS,  
CHARLES J. INGERSOLL,  
RICHARD PETERS,  
JOSIAH RANDALL.

To the Honorable JOHN MARSHALL,  
Chief Justice of the S. C. U. S.

To which Chief Justice MARSHALL, made the following reply.

It is impossible for me gentlemen, to do justice to the feelings with which I receive your very flattering address, nor shall I make the attempt; to have performed the official duties assigned to me by my country in such a manner as to acquire the approbation of so respectable and respected a bar as that of Philadelphia, affords me the highest gratification of which I am capable, and is more than an ample reward for the labour which those duties impose. I dare not hope that my services or ability to continue them, entitle me to the favorable sentiments which your kindness has expressed, but I shall always recollect the expression of them with a degree of pride and satisfaction which few occurrences of my life have inspired. Might I be permitted to claim for myself as well as for my associates, any part of the liberal consideration your partial favour bestows it would be, that we, "have never sought to enlarge the judicial power beyond its proper bounds, nor feared to carry it to the full extent that duty required."

My state of health does not permit me to indulge in the pleasures of society, and I know not how long I may continue an invalid.

I must therefore decline your polite invitation to dine with you, and intreat you to believe that in doing so, I

submit with infinite reluctance to a privation which I cannot avoid.

With great and respectful esteem, I am, Gentlemen,  
Your obliged and ob't. serv't.

J. MARSHALL.

Mr. RAWLE, from the same Committee, reported the following resolutions which were unanimously adopted:

*Resolved*, That the members of the Bar of Philadelphia, will in a body, wait on Chief Justice Marshall, and that he be requested to receive them in the United States Court Room at such time as may suit his convenience; and that the chairman take the necessary steps to carry this resolution into effect.

*Resolved*, That the Chairman of this meeting be requested to wait on Chief Justice Marshall and express to him the request of the Bar of Philadelphia, that he will permit his portrait to be taken.

*Resolved*, That a committee be appointed to obtain the services of an eminent artist of this city to carry into execution the purpose of the foregoing resolution, should Chief Justice Marshall, assent thereunto.

*Resolved*, That these proceedings be published.

FINE GRAPES.—A wagon load of delicious Pennsylvania Grapes were exposed for sale in Market-street, between Eighth and Ninth, during Friday and Saturday of last week. They were the product of a vineyard of Mr. Amos Garrett, of London Grove Township, Chester county. The vineyard occupies an acre of ground, and has been three years in cultivation. The crop of the present year is the first, but it is liberal, and the grapes are very fine. We are glad to learn that many of our citizens evidenced their satisfaction at this agricultural enterprise, by purchasing liberally of Mr. Garrett, who we trust will fully and profitably succeed in rendering his vineyard valuable.

We perceive by the American Farmer, that the Baltimore market has also been liberally supplied with fine grapes the present season. The Farmer mentions a quantity from the vineyard of Nicholas Brewer, Esq. of Annapolis. They were of the following kinds:—Golden Chasselas, Sweetwater, Isabella, Bland's Madeira and Red Hamburg, the two first sold readily at \$6 per bushel, and the Madeira are selling with equal facility at \$3 to \$4. Of the three last mentioned kinds, Mr. Brewer has about 200 bushels on his vines.—*Inq.*

#### CONSECRATION OF THE BISHOP OF NORTH CAROLINA.

This interesting ceremony took place on Thursday, 22d inst. in Trinity Church, Southwark. Three Bishops were present, viz. the venerable Bishop WHITE, presiding Bishop, H. U. ONDERDONK, of Pennsylvania, and Bishop B. T. ONDERDONK, of New York. The morning prayers were read by the Rev. Dr. BERRIAN, of New York, and the lessons by the Rev. Dr. DELANCEY, of this city. The testimonials of election and approbation by the Convention of North Carolina, were read by Mr. WINSLOW, Secretary of that body. The testimonials of the consent of the standing committees, were read by Rev. Dr. MEAD, and the declarations of consent to the consecration of the Rev. Dr. IVES, on the part of the several Bishops, by the Rev. Dr. MONTGOMERY, of this city. The consent of Bishop WHITE was expressed verbally by himself, with the statement that Bishop MOORE, of Virginia, had also consented to the act, and had been prevented from being present on the occasion by sickness, in New York. The Bishop elect was invested in his official robes by the Rev. WRIGHT, of North Carolina, and the Rev. Dr. MONTGOMERY.

The sermon by Bishop B. T. ONDERDONK of New York, founded on Ephesians, i. 20, was an able and manly exposition of the ground on which the Church is based; with a touching and effective appeal to the Bishop elect to follow the steps of his predecessor, Bishop RAVENSCROFT, in the fearlessness and faithfulness of his



ministry. Several laymen from North Carolina, and many clergymen from New York and elsewhere were present. The whole ceremony was solemn and imposing, and appeared deeply to impress a crowded and attentive auditory.—*Sentinel*.

*The following are the Names of the Inspectors of the General Election, chosen on Friday last:*

## CITY OF PHILADELPHIA.

## UPPER DELAWARE WARD.

George W. Tryon, John Dallan.  
 LOWER DELAWARE.  
 William A. Peddle, R. W. Pomeroy.  
 HIGH STREET.  
 Caleb Cope, George D. Sheaff.  
 CHESTNUT.  
 Samuel Davis, William H. Hamilton.

Nathaniel Holland, Thomas Mitchell.  
 DOCK.  
 Thomas Roney, W. W. Tackara.  
 PINE.  
 Charles Hedelius, William Ripperger.

John Bell, John Thompson.  
 NEW MARKET.  
 Theodore Colladay, Samuel Overt.  
 NORTH MULBERRY.  
 Thomas Smallman, Amos Howell.  
 SOUTH MULBERRY.

Robert Adams, William L. Fox.  
 NORTH.  
 Thomas Hopkins, Samuel H. Reed.  
 MIDDLE.  
 Thomas Cave, Thomas Desilver.  
 SOUTH.  
 Thomas Town, John Horn.  
 LOCUST.

Joseph Moore, William O'Morin.  
 CEDAR.

*Names of the Assessors and Assistant Assessors of the City of Philadelphia, elected at the same time.*

## UPPER DELAWARE WARD.

Assessor—George W. Tryon.  
 Alexander Cook, Ebenezer Mastin.  
 LOWER DELAWARE.  
 Assessor—Joseph H. Schreiner.  
 Richard Jackson, Richard S. Risley.

HIGH STREET.  
 Assessor—Emmor J. Weaver.  
 Thomas Hartley, William Collins.  
 CHESTNUT.

Assessor—William Davis.  
 James Simpson, Alexander Henry.  
 WALNUT.  
 Assessor—Nathaniel Holland.  
 Frederick Bruhn, Matthew Randall.

DOCK.  
 Assessor—Robert Desilver.  
 Henry Habermehl, Anthony Seyfert.  
 PINE.

Assessor—Jeremiah Boone.  
 Samuel Palmer, Daniel B. Cannon,  
 Isaac Chadwick.\*

NEW MARKET.  
 Assessor—William Greble.  
 John Ashmead, Thomas Stewart.  
 NORTH MULBERRY.

Assessor—Reuben Savidge.  
 Conrad Wile, John Overt.  
 SOUTH MULBERRY.  
 Assessor—Benjamin Wiley.  
 Edwin T. Scott, Jonathan Rubicam.

\* The Name, in *Italic* had each 153 votes.

## NORTH.

Assessor—Joseph Price.  
 Michael Fox, Thomas H. Harper.  
 MIDDLE.  
 Assessor—William J. Leiper.  
 Caleb Dobbins, Adam Henschman.  
 SOUTH.  
 Assessor—William M. Hansell.  
 Thomas Pratt, Jedediah Allen.  
 LOCUST.  
 Assessor—John Rutherford, Sen.  
 Samuel Reese, R. W. Nutter.  
 CEDAR.  
 Assessor—Joshua Andrews.  
 S. Glause, A. R. Gemeny.

## FREE TRADE CONVENTION.

On the 30th ult. the Free Trade Convention commenced its sittings in this city. The publication of the proceedings of this respectable body will be attended to in our future numbers. At present we have only room for the following list of delegates from the different states represented, viz

## LIST OF DELEGATES

Who have taken their seats in the Free Trade Convention, prior to 5th October.

## MAINE.

Joshua Carpenter, S. H. Mudge.  
 Charles Q. Clapp, 3

## MASSACHUSETTS.

Henry Lee, Joseph Ropes,  
 T. S. Pomeroy, Isaac Newhall,  
 Samuel Swett, J. W. Rogers,  
 Gideon Tucker, Henry Williams,  
 Horatio Byington, Edward Craft,  
 Theodore Sedgwick, William Goddard,  
 John L. Gardner, Ebenezer Breed,  
 George Peabody, William Foster,  
 Pickering Dodge, Thomas Bancroft, 18

## RHODE ISLAND.

William Hunter. 1

## CONNECTICUT.

Wm. J. Forbes, James Donaghe. 2

## NEW YORK.

Preserved Fish, John Aug. Smith,  
 John Leonard, M. H. Grinnell,  
 Edward Bergh, George T. Trimble,  
 Samuel P. Brown, Zebedee Ring,  
 Jonathan Goodhue, Albert Gallatin,  
 Thomas R. Mercein, John S. Crary,  
 John A. Stevens, Jacob Lorillard,  
 Isaac Carow, James G. King,  
 John Constable, Charles H. Russell,  
 James Boorman, H. Kneeland,  
 George Griswold, Isaac Bronson. 23  
 Benjamin L. Swan,

## NEW JERSEY.

C. L. Hardenburgh, John C. Schenk,  
 J. C. Van Dyck, John Potter,  
 John Bayard Kirkpatrick, Henry Vethake,  
 Miles C. Smith, John R. Thompson. 9  
 Henry Clow,

## PENNSYLVANIA.

Joseph R. Evans, Richard Price,  
 George Emilen, Henry R. Watson,  
 Clement C. Biddle, Thomas P. Cope,  
 Edward Ingraham, John A. Brown,  
 J. M. Barclay, Philip H. Nicklin,  
 E. Littell, Condry Raguct,



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 16. PHILADELPHIA, OCTOBER 15, 1831. NO. 198.

From the Philadelphia Gazette.

## FREE TRADE CONVENTION.

FRIDAY, Sept. 30th.

At 12 o'clock, Mr. JOSEPH R. EVANS, of Philadelphia, called the meeting to order, and moved that Col. BERNARD BASSETT of Virginia should take the Chair as chairman *pro tempore*. The motion was unanimously adopted.

Mr. THEODORE SEDGWICK, of Massachusetts, then moved that the delegation from each state, appoint two of their number as a committee to nominate a President and other officers, to be afterwards ballotted for by the convention.

Dr. TIDMAN of South Carolina moved to amend the motion, by inserting the words "that the convention proceed to elect a President immediately."

Mr. MILLER of South Carolina expressed a wish to have the question, whether the different delegations were to vote on federative principles or *per capita*, decided at an early period, as the principle was highly important.

Dr. TIDMAN thought it would be best to elect a President in the usual way. The mode proposed by Mr. SEDGWICK would cause great loss of time.

Mr. POINDEXTER of Mississippi, thought Dr. TIDMAN's motion involved a proposition to strike out all the essential parts of Mr. SEDGWICK's resolution, and called for a division of the question.

Col. PRESON of South Carolina moved that the resolution and the amendment should lie on the table for the present, and that this convention should proceed to verify the election of members. Till this should be done, they could not tell who were delegates and who were not.

This motion was adopted, and Mr. RAGUET of Philadelphia was appointed Secretary *pro tempore*.

Mr. RAGUET said there was no authoritative list of delegates, as the returns from all places where elections had been held had not yet been received, and as changes had taken place in some of the delegations, he would read a list published in the Philadelphia papers, and gentlemen who were present as delegates, and whose names were not in the printed list, would be pleased to hand in their names as he proceeded.

Judge BARBOUR of Virginia suggested that the states should be called in the order observed in Congress, beginning at Maine, and proceeding southward, and as the name of each state was called, the delegates from that state should step forward to the Secretary's table, and give in their names.

Other gentlemen thought it would be better to read from the book in which the delegates had inscribed their names on their arrival in the city.

After a desultory debate, it was agreed that the Secretary should read the printed list, and that the gentlemen present should supply its deficiencies as he proceeded.

While the Secretary was reading the list, a number of gentlemen stepped forward with testimonials of their election. The Secretary stated that 165 delegates had inscribed their names in the book. A complete list of those present, at this calling of the roll, cannot be

given, as some of the gentlemen answered to their names too faintly to be heard by the reporters, and we believe by the Secretary. Other members arrived while the Convention was in session.

There were delegates present from Maine, Massachusetts, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Tennessee.

When the names of the gentlemen elected to represent Mississippi were called, Mr. POINDEXTER rose, and stated that he had only newspaper evidence of his election, and wished to know if the Convention would receive him on that evidence. There was some delicacy in his taking or declining to take a seat in this highly respectable body. He belonged to another body before which the question they were assembled to discuss would come in an official form. But as it would be extremely inconvenient to the people of Mississippi to send other delegates, a distance of a thousand miles to Philadelphia, he would feel himself almost bound to express the sentiments of his state on a question in which it was so deeply interested. His object was to express the sentiments of the people of Mississippi, less by speaking than by a silent vote.

The Convention being unanimous in its wish that Mr. Poindexter should act as a delegate from Mississippi, he took his seat accordingly.

After the election of the members had been thus verified, Gov. MILLER of South Carolina called up for consideration, the resolution that had been offered by Mr. SEDGWICK. He thought it very important to decide the question whether the Convention was to vote *per capita*, or on federative principles. At least it was desirable, that in the first step towards the election of a President of the Convention, those states from which the delegation was not numerous, should be allowed a better opportunity for expressing their sentiments, than would be afforded by proceeding immediately to the election of a President, and by voting *per capita*.

The question was then put on Dr. TIDMAN's motion to amend, viz: "that the Convention proceed immediately to elect a President."

The motion to amend was rejected, 60 members voting in the affirmative, and 67 in the negative.

The question then recurring on the original resolution, a gentleman with whose name we are not acquainted, said it was *impracticable*. As from at least one of the states, but one delegate had appeared, it would be impossible to form a committee of two for each of the states represented in the Convention.

Judge SHORTER of Georgia opposed the resolution on the ground of its inexpediency. Some of the members of the Convention had been elected as representatives of whole states, and others as representatives of small parts of states. The mode suggested by Mr. SEDGWICK might produce some excitement, and lead to much confusion. There could be no confusion by proceeding to elect a President in the usual way.

Mr. MILLER moved to amend the resolution, by inserting "one" instead of "two."

The gentleman who had observed that it was impracticable to form a committee of two for each state, said, that since the delegation from some states was very small, if the delegation from each state elected its



member of the committee of nomination, an opportunity might be afforded to some individuals to promote *personal* objects, and there should be no personal objects in this convention.

Messrs. BIDDLE and INGRAHAM, of Philadelphia, moved to re-consider the vote on Dr. Tidyman's proposition to amend.

Mr. MILLER repeated his wish that the states who had a minority of members of the Convention, should have the same opportunity of expressing their sentiments, as those states from which the delegation was full. Some of the Carolinians could recollect how difficult it was in another body, to obtain a suitable regard for the rights of the minority.

Judge SUMNER said the passage of the resolution to which he was opposed, would increase the weight of the delegation to which he belonged. Of eighteen members elected for Georgia, only six had yet appeared. But he was opposed to the resolution on general grounds—on the inequality with which it would operate and the dissatisfaction it would produce.

Dr. TIDYMAN said his object in wishing to proceed immediately to the election of President, was to facilitate business. Some of the gentlemen had travelled a thousand miles or more to Philadelphia; and time to them was precious.

Mr. SEOWICK, in replying to the remark that the adoption of the resolution he had offered might produce excitement, said he knew of no excitement—there could be no excitement. The high and noble object for which the convention had assembled, forbade the supposition. But there are 150, perhaps 200 gentlemen, entire strangers to one another, and who have not had time fully to ascertain each others wishes in all respects. His wish was that the convention should appear to be, what it is in fact, one and indivisible—that there should be a perfect unanimity in *all* its proceedings from the election of President onwards—and with this object he had offered the resolution, as the best means of ascertaining the sentiments of the different states.

Mr. JONES of Georgia, asked what the effect would be if the convention should not elect the gentlemen nominated by the committee. The unanimity sought for, could not, he thought, be obtained in this way.

Col. PRESTON said that whether the voting should be by states, or *per capita*, was an important question, the decision of which might be deferred till the convention was fully organized. In regard to the chief officer, it is desirable that he should be one acceptable to the majority. We come here to represent a *principle*—not states. And some members came to represent different *modifications* of that principle. The instructions the members have received from the meetings by which they have been selected, differ in some respects. An imaginary line in a state, may separate these different modifications of the principle of Free Trade. This might be illustrated by a case drawn from Virginia, or another from South Carolina. If the mode of voting by states should be adopted, and the whole delegation from any state not be of one sentiment in regard to some of these modifications of principle, the minority of that delegation might feel it had not a fair opportunity of expressing its views. He hoped the most perfect good feeling would prevail. But there would be great delicacy in differing from the committee of nomination. To avoid this possible collision, it would be well to elect a President in the usual way.

General PARSONS said, perfect good feeling did prevail in regard to the great object of the convention, but if the mode of voting by states were adopted, a minority might control the majority, in the decisions of the convention. As the representations from the different states were unequal, it might so happen, if they were to vote on the federative principle, that 65 men would have more weight than 100. If such should be the result, the good feeling that now prevails would be destroyed.

The motion to reconsider the vote on Dr. Tidyman's amendment, was adopted by a large majority.

Mr. JONAS A. STEVENS, of New York, rose to state some facts of which probably the convention had not been informed. None of the delegates from Connecticut had arrived, but a part of those from the city of New York, none of those from Albany, and none from New Bedford. Some of those would probably arrive in the evening boats. Under these circumstances, he submitted the propriety of deferring the election of a President.

Mr. MILLER of South Carolina, apologized for again addressing this meeting. He was most anxious that in a body in which South Carolina was fully represented, due regard should be paid to the rights of the states not fully represented. A thousand people from South Carolina might come here, and if so many had come, we could not have denied their right to sit and vote.—But this could not have deprived the minority of their rights. Mr. M. was opposed to every thing like a consolidation of the states. The gentleman from Massachusetts, the delegation of which is small, asks that in the nomination of a President, his state shall be equal to South Carolina, the delegation from which is numerous. Can we deny him his right? Some gentlemen had spoken, as if the convention would be bound to select whomsoever the committee might nominate. But the man for whom he would vote must be decidedly opposed to the tariff-principle—one who regarded it as unconstitutional—one who was in no way tainted by the American system.

Mr. MITCHELL of South Carolina, expressed himself as decidedly friendly to the system of voting *per capita*.

He was followed by Mr. JONES of Georgia, who spoke on the same side of the question, and was desirous of proceeding forthwith to elect a President of the convention. The members were then as well prepared for this duty, as they could be at any future time. They were then untrammelled by the proceedings of a committee, and men always act best when untrammelled.

Mr. CHEYES rose in the hope, (perhaps the vain hope,) of shortening the discussion. The object of the gentleman from Massachusetts, must be either to gain information, to gain time, or to gain power. It seems impossible that it was to gain information, for the character of all the gentlemen spoken of as candidates, was well known. If it was to gain time, the manner was unparliamentary. It could not be to gain power, for the result would be the same, whatever mode of nomination should be adopted. The true object of the resolution appeared to be to give the members a longer opportunity to ascertain each other's wishes and sentiments, and to attain that object, he would move that this body should at twelve o'clock to-morrow, proceed to elect a President.

Mr. SEOWICK entirely accorded with Mr. CHEYES, and withdrew his motion for the appointment of a committee of nomination. His object was that the members might have an opportunity of conferring with one another, that there might be perfect unanimity in their proceedings.

Mr. JONES and others, expressed themselves pleased with Mr. CHEYES' motion.

A part of the convention, were still desirous of proceeding immediately to the election of a President, as some of the members had come from so great a distance, that a long detention in the city must prove very inconvenient to them: but an end was put to further debate by a motion to adjourn.

Saturday, Sept. 30th.

In addition to the statements mentioned in our last report, Rhode Island was to-day represented in the convention.

At 10 o'clock the meeting was called to order by the Hon. Burwell Bassett, the chairman *pro tempore*.

Mr. CHEVES moved that the convention proceed immediately to elect a President.

Mr. GALLATIN had heard that some difficulties had arisen on the point of the election of a President, whether it should be by states or *per capita*. It was not necessary to settle the abstract principle involved in the question. Formality should be avoided. This body was not a congress, but a voluntary meeting. There was no one individual present whose nomination would unite all votes. He therefore nominated Mr. P. P. BARBOUR, of Virginia, for the office of President.

In this motion Mr. GALLATIN was unanimously supported, and Judge BARBOUR was elected President by general acclamation.

The President on taking his seat, made an address to the following effect:—

*Gentlemen of the Convention:—*

The occasion which has brought us together, is certainly an important one, whether we have reference to the subject committed to our care, or to the results which may flow from our deliberations.

In almost every other country, upon the face of the earth, when the people feel themselves to be aggrieved, they have before them, the painful alternative, either of unconditional submission, without the hope of redress, or of an attempt to right themselves by force, and thus breaking up the very foundations of their government. Happily for us, our lot is otherwise cast. Here, the principle is held so sacred, that it is not permitted to be drawn into question: nay, as if to make assurances doubly sure, it is explicitly guaranteed by the constitution—That the people have a right peaceably to assemble, and demand a redress of their grievances. It is in the exercise of this unquestioned and unquestionable right, that we have now met together—not to indulge in capricious, or trivial complaints, not to give utterance to the voice of faction, but for a higher, for a nobler purpose.—As the representatives of a large portion of the people of this Union, in their name, and on their behalf, to expostulate with our countrymen, in a tone, manly, yet respectful, yet temperate—To declare in the face of the whole community, that those who sent us here, believe themselves to be burdened, by an unjust, unequal and wrongful system of taxation; and to appeal to the sense of justice of those who are a large majority for the correction of so great an evil.

To be called to preside over such an assembly, is an honor, which any man might highly appreciate: for myself, I tender you my acknowledgements for such an evidence of your confidence in advance. I am aware that it devolves upon me, high responsibility. But I shall meet it with firmness, promising the best exertions of such ability as I have, with the assurance of zeal, and determined impartiality. And gentlemen, if by any thing which we shall do here, we can contribute in any degree, to the attainment of the great object which we have in view, we shall certainly have rendered some service to the State.

To this end, let us, I beseech you, conduct all our proceedings in a spirit of conciliation and harmony.—Let us, by our example, show to the world, that whilst we know our rights, and knowing dare maintain them; we at the same time, know how to respect the rights and feelings of others. Thus shall we best acquit ourselves of the obligations which we owe to our constituents; thus may we indulge the stronger hope of fulfilling their just expectations. And if, after all, our efforts should fail of success, we shall at least have the consolation to know, that we made them with an anxious desire, amicably and justly to settle a question, which seriously disturbs the harmony of our common country.

On motion of Dr. TIDEMAN of South Carolina, thanks were presented to the Pennsylvania delegation, for the arrangements they had made for the accommodation of the convention.

On motion of Judge SHORTER of Georgia, Mr. RAGUET of Philadelphia, was unanimously elected Secretary of the Convention.

On motion of Col. BASSETT of Virginia, the Secretary was authorized to employ so many assistants as he might deem necessary.

On motion of Col. BASSETT, it was resolved that the rules of congress, for the regulation of business, be adopted by the convention.

On motion of Mr. DRONGOOLE of Virginia, it was resolved that the editors of newspapers and the stenographers employed by them, be authorised to take seats within the bar.

Mr. MITCHELL of South Carolina said, that as there appeared to be a pause in the proceedings of the convention, he would take this opportunity of offering a set of resolutions which might serve as landmarks in the discussion, and show the people and the general government that a perfect uniformity of feeling prevailed in this body. He had the greater confidence in bringing forward these resolutions because they were not the fabric of his own brain. They claimed an authority far above any thing he could give them. They had been adopted at a meeting in the town of Boston in 1820, when an attempt was making to revise the tariff on the principles that had been adopted in the late revision.—In the periodicals of that day, the meeting was described as consisting of the ablest counsellors, the wealthiest manufacturers, and the most enterprising merchants of that great and eminent metropolis. This gave the resolutions great authority, which was strengthened by the fact, that they had also in substance been adopted by a meeting held in Philadelphia, in the same year. Every man in South Carolina, echoes the sentiments of these resolutions.

The first resolution is, "That no objection ought to be made to any amount of taxes equally apportioned and imposed for the purpose of raising revenue for the support of government." This was the resolution adopted by the most enlightened men in Massachusetts; and there was no man in South Carolina, from the Mountains to the Ocean, or from the North Carolina line to the Savannah river, that did not cordially assent to it.

"But" the resolution proceeds, "taxes imposed on the people for the sole benefit of any one class of men, are equally inconsistent with the principles of our constitution and with sound policy."

Equal rights, equal duties, equal immunities, equal disabilities, continued Mr. MITCHELL, is the language of the constitution. There is not a man in South Carolina who does not object to this imposition of taxes for the benefit of particular classes. We all admit the right to tax to any necessary extent for the support of the government, but when you go beyond this, we cannot understand on what principle you proceed.

Mr. M. said that the people of South Carolina can no where find in the constitution an express authority, given to congress by the people of the states, to encourage manufactures by taxation: nor can they understand how a power to regulate commerce can comprehend a power to promote manufactures by direct or indirect bounties: how regulation means prohibition: how a power expressly given for the purpose of increasing foreign commerce—of extending it to every quarter of the globe—and placing it on the best and most prosperous footing—can imply a power to diminish and annihilate it, and turn labor and capital to manufacturing industry. This is above the comprehension of those whom he had the honor to represent. Mr. M. said that this in the minds of his constituents was neither more nor less than arbitrary taxation, and he was more than gratified that they had been supported in this view of the constitution by the commercial people of the great and enlightened cities of Boston and Philadelphia.

The other resolutions are:

"That high bounties on such domestic manufactures

as are benefited by the tariff, favor great capitalists rather than personal industry, or the owners of small capitals, and therefore that we do not perceive its tendency to promote national industry.

"That we are equally incapable of discovering its beneficial effects on agriculture, since the obvious consequences of its adoption would be, that the farmer must give more than he now does, for all he buys, and receive less for all he sells.

"That the impositions of duties which are enormous, and declared by a large portion of the people to be unjust, is dangerous, as it encourages the practice of smuggling.

"That in the opinion of this meeting, the duties of the tariff should be reduced to the standard of revenue for the support of government."

These resolutions were submitted by Mr. MITCHELL, as the universal sentiment of the people of South Carolina—as sentiments worthy of universal adoption—and to which no rational objection could be made either in or out of the convention.

On motion of Mr. A. P. BUTLER of S. C. who thought it would be more in order to divide the business of the convention among committees, before passing resolutions of a general character, the resolutions were laid on the table.

(N. B. The resolutions brought forward by Mr. M. are copies of the celebrated resolutions offered by Mr. DANIEL WEBSTER, at the meeting in Boston in 1820.

Mr. GALLATIN thought that before bringing specific propositions before the convention, some preliminary steps were necessary for the general arrangement of business. He had learned with great satisfaction that fifteen states were represented in the convention. The members had as yet but little opportunity for ascertaining each other's sentiments. To promote this object and to facilitate business, he would propose that a committee should be appointed, consisting of two members to be elected by the delegation of each state, or of one member when from the necessity of the case, there would be no more than one, and that to this federative committee thus formed, should be committed the duty of arranging the order of business. The principal object of the convention was of a practical nature. A remonstrance to congress must be prepared. A committee of correspondence to collect facts, may be necessary. An address to the people of the United States, will, perhaps, be thought proper. To prepare business for the consideration of the convention, a general committee seemed necessary, and that this committee might have general powers, he offered a resolution expressed in general terms.

A verbal amendment to the resolution, was offered by Mr. Jones of Georgia, and accepted by Mr. Gallatin, as expressing the sentiment he intended to convey.

Mr. POINDEXTER said the resolution conflicted with the rules of congress, which had just been adopted for the regulation of business. In the House of Representatives, the Speaker appoints the Committees.

The president of the convention (Mr. Barbour) declared the practice of Congress to be as had been stated by Mr. Poindexter, but added that it would be much more agreeable to him, if the delegation from the different states would elect their own members of the committee. As he had not yet had time to become generally acquainted with the members, he might in some cases, place on the committee those who would not be most acceptable to the majority of their own delegation.

Mr. GALLATIN said that when he voted for the adoption of the rules of congress, he did not suppose he was voting for them in *extenso*, but simply for so much as was necessary for preserving order. One great object of the resolution, would be defeated, if the President should appoint the committee. That object was, that each state, represented on this floor, should have its due weight in the preparation of business for the consideration of the convention—that the sentiments of all the states should be ascertained as nearly as possible.

Mr. CHEVES thought there was no difficulty in the case. The convention could impose on itself such restrictions as it pleased, and it could take them off when it pleased. It had, in this respect, greater abilities than congress. The object of the mover of the resolution, by which they felt themselves trampled, had, no doubt; been simply the adoption of the common law of parliament for the preservation of order.

Mr. POINDEXTER then moved the suspension of the rule of congress on the appointment of committees; and Mr. Gallatin's resolution was unanimously adopted.

Mr. CHEVES then moved to rescind the rules of congress. Mr. Basset assented to the motion. He observed that when he had proposed their adoption, it had passed through his mind that many of them were inapplicable to the present convention, but he thought that as the exceptions occurred they could be rescinded, leaving in force such only of the rules as were practicable.

The rules were then rescinded.

Mr. GOLDWTRAIT of Ala. then offered a resolution, "that so much of the rules of the House of Representatives, as relates to the introduction of resolutions, and mode of debate, be adopted by this convention."

This was opposed by Mr. CARPENTER of Maine, on the ground that disputes would continually arise, as to which of the rules referred to in the resolution were applicable in this convention. It would be best to be governed by the common law of parliament. Every member had implicit confidence in the President. He was well acquainted with business. And, if he ever decided wrong, an appeal could be made to the convention.

The motion was negatived.

It was then resolved, that there should be a recess of half an hour, to afford the different delegations an opportunity of electing the members of the Federative Committee, for the general arrangement of business.

When the President had resumed the chair, the different delegations reported that they had elected the following gentlemen, members of the

#### FEDERATIVE COMMITTEE.

##### MAINE.

Joshua Carpenter, Charles C. Clapp.

##### MASSACHUSETTS.

Thomas Bancroft, Henry Lee.

##### RHODE ISLAND.

William Hunter.

##### NEW YORK.

Albert Gallatin, John Aug. Smith.

##### NEW JERSEY.

Cornelius L. Hardenburgh, Henry Vetbake.

##### PENNSYLVANIA.

Thomas P. Cope, Clement C. Biddle.

##### MARYLAND.

Wm. E. Handy, A. D. Jones.

##### VIRGINIA.

James M. Garnett, John W. Jones.

##### NORTH CAROLINA.

James Iredell, William A. Blount.

##### SOUTH CAROLINA.

William Harper, Daniel E. Huger.

##### GEORGIA.

John M. Berrien, Elie S. Shorter.

##### ALABAMA.

Enoch Parsons, Thomas Goldsmith.

##### MISSISSIPPI.

George Poindexter.

##### TENNESSEE.

William E. Butler, Alexander Patton.



Mr. BERRIEN, of Georgia, stated that it was desirable to ascertain the operations of the duties in various parts of the Union, and as some parts were not represented on this floor, he would offer a resolution to invest the President with discretionary power to invite persons capable of giving information, to a seat within the bar.

The resolution was unanimously adopted, and the convention adjourned to 12 o'clock on Monday.

Delegates from Connecticut appeared in the Convention to-day. The whole number who have inscribed their names in the book is 201.

The general or federative committee asked for instructions, which were given, limiting their powers to the preparation of business for the consideration of the convention.

A motion was made and carried to provide seats for such ladies as might think proper to attend.

MONDAY, OCT. 3.

The minutes of the last meeting were read by the secretary.

A number of new delegates appeared and subscribed their names.

The President announced the names of several gentlemen whom, in the exercise of the discretionary power conferred on him by Mr. Berrien's resolution, he had invited to take seats within the bar.

(Among the gentlemen mentioned by the President was Mr. Henry B. Sedgwick, a native of Massachusetts; but we believe for some time a resident of New York. He was the proposer of the Convention, through the medium of the New York Evening Post. A few weeks ago he was struck with paralysis. The disease does not affect his mind, and his interest in the objects of the convention being undiminished, he was conducted to his seat by the assistance of his servants and his friends.)

Major EDWARDS of South Carolina said he understood the Convention would be honoured with the presence of the fairer and better part of the creation. He therefore moved that the President should be invested with power to make such arrangements as in his discretion he might deem necessary for the accommodation of such ladies as might think proper to attend.

A gentleman from New York (Mr. P. F.) moved to lay the resolution on the table. He was supported by very few. The resolution was finally carried by general acclamation, only a single vote in the negative being distinctly heard.

A letter was received from JOHN J. MUMFORD, Esq. of New York, stating that he had deposited in the hall, for the use of the members of the convention, five hundred copies of the report of the Committee on Commerce of the year 1829.

Mr. GALLATIN, the chairman of the Federative or General Committee, reported that the committee were doubtful of the extent of the powers conferred on them—whether they had authority to draft a memorial to Congress, and an address to the people, or simply to prepare business for the consideration of the Convention. He had been instructed by the committee to ask for information on these points, and also to submit to the Convention a resolution for the appointment of a committee, consisting of one person from each of the states represented in the Convention, to prosecute before Congress the great objects which they had assembled to promote.

When the resolution for the appointment of a permanent committee to prosecute the case before Congress was submitted to the Convention, Mr. POINDEXTER said its phraseology was such as to imply the adoption of a memorial by the convention—and none had yet been adopted. He, therefore, moved to lay the resolution on the table.

When the resolution requesting information of the extent of the powers of the committee was brought for-

ward, Governor MILLER of South Carolina, asked what particular instructions were required.

Mr. GALLATIN replied that he had nothing particular to say, except that doubts had arisen in the committee of the extent of their power—some supposing it extended to the drafting of memorials and addresses, and others believing that it extended no further than to the arrangement of business for the consideration of the convention. He had been instructed to ask information on these points.

Governor MILLER requested that the resolution by which the committee had been constituted, should be read.

Col. PRESTON of South Carolina moved that the committee should be limited to "reporting such objects as ought to engage the attention of the convention."

Col. SWETT of Boston, offered as an amendment to this resolution, a proposition that "the committee should be authorized to prepare drafts of a memorial, and such other papers as they might deem necessary."

Col. PRESTON's motion was adopted.

Col. PRESTON then inquired when the organic committee (as he believed he ought to call it) would be prepared to report.

Mr. GALLATIN replied, that he was not able to say. He had requested the members of the committee to tarry after the adjournment.

On motion of Mr. POINDEXTER, it was resolved that the Chief Justice of the United States (Judge MARSHALL) now in this city, should be invited to take a seat within the bar of the house.

Mr. POINDEXTER prefaced his resolution with a few remarks, expressive of the opinion which he, and we believe all the nation, entertain of the character of the venerable Chief Justice.

A gentleman announced the arrival of the members from Connecticut, and presumed that as they were but two in number, they should take seats with the Federative Committee.

The President replied they should of course, unless some objection were made.

The President laid before the meeting a document that had been forwarded from Lauderdale county, Alabama. It represented that the citizens of that county were decidedly opposed to the tariff-policy, but that it was inconvenient to them to send representatives.—They would, however, be bound by the proceedings of the convention, provided they were not of a nullifying character. They also suggested the holding of an annual meeting of the friends of Free Trade, the delegates to which should be apportioned among the several states according to the number of their representatives in congress.

On motion of Mr. GALLATIN it was then resolved, that there should be a recess of an hour, to allow the Federative Committee an opportunity for deliberation.

When the President resumed the chair, Mr. GALLATIN, the chairman of the federative committee, by direction of that committee, reported two resolutions, one directing an address to the people of the United States, the other a memorial to Congress, to be prepared, to promote the objects of the convention.

These resolutions were adopted without a dissenting voice.

Mr. MERCEIN of New York, then offered a resolution requesting the general committee, to have the memorial and address prepared, and submit them to the consideration of the convention.

It would, he believed, be conceded on all hands, that attendance in the convention, was very inconvenient to many of the members, and productive of great sacrifices. The sooner we can get through the business, the more satisfactory it will be to all. Mr. M. proposed to commit the duty of preparing the memorial and the address to the general committee, because it was already appointed, because it was well qualified, and because, from the manner in which

had been formed, it possessed the means of ascertaining the exact wishes of the different states represented in the convention. An additional reason was, that some interchange of sentiment on the subject of the memorial and of the address had, he understood, already taken place among the members of the committee.

The motion was adopted, 117 members voting in the affirmative.

Mr. JONES of Georgia then offered a resolution, the gist of which was the absolute *unconstitutionality* of the "American System."

Mr. CHAREES Q. CLAPP, of Maine, proposed a substitute, asserting the opposition of the "American System" to the *spirit* of the constitution.

On motion of Mr. BASSETT, it was resolved to lay the resolution and substitute on the table.

Mr. POINDEXTER of Mississippi, then offered a series of resolutions, expressive of the warmest attachment to the constitution, and a determination to defend it at all hazards from all foes external and internal; but insisting on the principles of strict construction, declaring a constitution to be an instrument limiting the powers of the governors, and that when these limits were transgressed by the governors, the people ought not to submit.

Mr. POINDEXTER offered to lay the resolution on the table, and Mr. VETHAKE of New Jersey, made a motion to that effect.

Governor MILLER of South Carolina, thought this course would be improper. The resolutions purported to be instructions to the general committee, and if they were to have any effect, they ought to be discussed before the general committee made its report. Laying them on the table, might retard the proceedings of the committee.

Mr. JONES of Georgia, in an animated speech, declared that the object of his resolution was to instruct the committee, and the object of the resolutions of the gentleman from Mississippi, was the same. If it be proper to give any instructions to the committee, the sooner it is done the better. His object was to elicit the sentiments of the convention, in regard to the unconstitutionality of protecting and prohibitory duties. He had been especially instructed by his constituents to maintain the unconstitutionality as well as the inexpediency of the system. He had not known the object for which they were assembled, and it would be to little purpose if they were not to declare that the system was unconstitutional. The inexpediency of it, was, to his constituents, a minor consideration. We stand on the principle of the unconstitutionality of the system. Bad as our condition now is, hard as our burdens now are; they are nothing to what they may be, if the constitutionality of the system be admitted. We had better never have assembled, if by our silence on this point, we leave it to be inferred that the act is constitutional, and we are at the mercy of any congress if we only declare it inexpedient.

Col. BUTLER, of South Carolina, (who spoke with equal animation) said he hoped the resolutions of the gentleman from Mississippi would be referred to the committee, with their report. As far as that report went, he was perfectly satisfied. He feared it did not go far enough. The address and memorial to be drawn up by that committee, would breathe a tone, a spirit, that might satisfy his constituents. But, he observed, there was no allusion made in it to the question of the unconstitutionality of the tariff. My, constituents, said Mr. Butler, believe that it is unconstitutional, and believing so, it was a question of vital importance to them. I agree with my friend from Georgia, that it is necessary that this question should be decided in this body.—I will go as far in the spirit of conciliation as any one.—I am delighted with the spirit which I see pervades this assembly. I see a disposition to oppose the system of which we complain, and a spirit becoming the occasion. But I cannot go so far as to compromit princi-

ples, and to disregard the instructions of those who sent me here. I do not insist on the precise proposition in which it may be said the constitution has been violated. It was enough that the constitution of a people had been violated—whether in spirit or letter was immaterial. I come instructed by constituents who know their rights, and will not consent to any compromises of principles, that will put them to jeopardy, and to yield the constitutionality of the measure might have that effect; and to forbear expressing our opinion on this point, might be construed into acquiescence, although not so intended. This question must be met, and if I refuse to meet it, I will go home to be consumed by the indignation of freemen who have sent me here to assert and maintain their rights.

Mr. VETHAKE agreed to withdraw his motion to lay the resolutions offered by Mr. Poindexter on the table, to make way for the motion to refer them to the committee, on the distinct understanding that such reference of them in no way implied any instruction on the subject to the committee by the convention. He said he had no intention of expressing an opinion of the constitutionality or unconstitutionality of the restrictive system; but wished simply to stave off the discussion for the present. The committee, he had no doubt, would be able to meet the wishes, if not of all, of the great majority of the members of the convention. The discussion could be entered upon when the memorial and address were before the convention.

Chancellor HARPER, of S. Carolina, moved to *commit* all the resolutions to the general committee for consideration.

Mr. CREVES said that if the resolutions were to be regarded in the light of instructions, he would give the preference to that of the gentleman from Georgia, (Mr. Jones.) The resolutions of the gentlemen from Mississippi involved too much—they involved the whole principles of government, some of which it was unnecessary now to discuss. If the resolutions were simply committed to the general committee for consideration, we should be just where we are now; for the resolutions involved no opinions not familiar to all the members of the committee. Two courses presented themselves to the convention. The one was to make an express declaration of the principles in distinct resolutions, and be governed thereby in the preparation of the memorials and remonstrances. The other was to embody the sense, intelligence, and local information of the members in distinct committees. As the object was to consume the least time, the latter course had been adopted by the convention. It was obvious, that there was but one question which could agitate this body, and that was the question of the constitutionality of the restrictive system. The question cannot be evaded. Meet it in some shape we must. It must be brought forward, if by no other person, myself (unless I am forcibly silenced) though I should prefer its being brought forward by another. It struck Mr. C. that the best way to bring it forward would be to suffer the committee to report, as discussion might now retard their progress.

Chancellor HARPER, of South Carolina, was decidedly of opinion that it would be best to defer the discussion, till the committee had made their report. The resolution that had been offered might be regarded as mere *hints* for their consideration.

Mr. BERRIEN, of Georgia, with a view of ascertaining whether the resolutions contained instructions to the committee, or mere suggestions, requested that they might be read again.

The request was complied with, and then Mr. Berrien stated that the resolutions did not in his view, contain any thing absolutely binding on the committee or on the convention. He gave the preference to the resolution of his colleague (Mr. Jones,) but he would out of abundant caution, suggest a verbal alteration to

his friend in order to meet the wishes of the members generally. The President stated that the committing of these resolutions would not bind the body. They might decide directly against them, if they thought fit.

The resolutions of Mr. JONES of Georgia, Mr. CLAPP of Maine, and Mr. POINDEXTER of Mississippi, were then committed to the organic committee for consideration.

On motion of Mr. PRESERVED FISH of New York, it was resolved that the Hon. JAMES BROWN, late Minister to France, be invited to take a seat within the bar.

Mr. GALLATIN said that as the commitment of these resolutions imposed on the committee the duty of examining the subject matter referred to therein, he had been instructed to say the committee would not be prepared to report before Wednesday at 12 o'clock.

The convention then adjourned to 12 o'clock on Wednesday.

To be Continued.

METEOROLOGICAL REGISTER.

Extract from the Meteorological Register, taken at the State Capitol—Harrisburg, Pennsylvania,

BY WILLIAM MCGRAVE, Librarian.

SEPTEMBER, 1831.

Days of Week.	Thermometer.					Barometer.			WINDS.
	Days of the Month.	Morning temperature.	Noon temperature.	Night temperature.	Mean temp. of day.	Highest in Morn.	Highest at Noon.	Highest in Even.	
Tuesday	1	66	70	68	68	29.58	55	54	SE
Friday	2	68	69	68	68	50	48	50	49 SE
Saturday	3	68	74	64	68	50	53	58	53 S
Sunday	4	57	67	65	63	60	64	60	61 NE
Monday	5	59	70	64	64	58	58	66	60 NE
Tuesday	6	65	70	68	67	68	70	72	70 N
Wednesd	7	60	74	74	69	70	70	66	68 NE
Thursday	8	70	76	76	74	60	46	44	50 SW
Friday	9	64	74	70	69	48	50	50	49 W
Saturday	10	68	80	76	74	52	52	55	53 E
Sunday	11	68	78	74	73	55	57	56	56 SW
Monday	12	58	68	64	63	70	70	70	70 W
Tuesday	13	56	66	64	62	76	76	73	75 W
Wednesd	14	56	66	67	63	66	65	64	65 W
Thursday	15	64	65	60	63	60	54	54	56 E
Friday	16	58	58	56	57	70	75	75	73 N
Saturday	17	51	63	52	55	78	76	75	76 N
Sunday	18	48	66	54	56	85	80	75	80 N
Monday	19	48	65	58	57	70	65	65	66 N
Tuesday	20	54	67	58	59	60	52	50	54 NE
Wednesd	21	58	65	60	61	63	67	68	66 N
Thursday	22	58	71	69	66	68	58	56	60 NE
Friday	23	70	70	63	67	45	43	42	43 SW
Saturday	24	55	63	60	60	50	56	60	55 W
Sunday	25	56	64	60	60	66	60	58	59 E
Monday	26	60	65	62	62	52	48	40	46 NW
Tuesday	27	58	64	54	58	35	27	25	29 NW
Wednesd	28	58	58	52	53	35	44	50	43 W
Thursday	29	58	61	55	54	48	47	57	50 W
Friday	30	38	57	48	57	70	68	70	69 NW

Mean temperature and height from three daily observations.

Thermometer.		Barometer.	
Maximum on 10th,	74°	Maximum on 18th,	29.80 in.
Minimum on 30th,	38°	Minimum on 27th,	29.29
Difference,	27°	Difference,	00.51 in
Mean,	60½°	Mean,	29.54 in

ATMOSPHERICAL VARIATION.

Days of month.	M.	N.	E.
1 2 25 26	Cloudy	Rain	Rain
3	Cloudy	Partly cl'r	Cloudy
4 17 22 29	Cloudy	Cloudy	Clear
5 9	Overcast	Sun thro'e'd	Clear
6 12	Clear	Sun thro'e'd	Clear
7	Partly clear	Sun thro'e'd	Cloudy
8	Rainy morn.	Sun thro'e'd	Cl'y lightn'g
10	Cloudy	Partly cl'r	Thund.gust
11	[30] Clear	Sun thro'e'd	Light show.
15 18 19 20 28	Clear	Clear	Clear
14	Clear	Cloudy	Cloudy
15 27	Rain	Rain	Rain
16	Cloudy	Showery	Steady rain
21	Cloudy	Cloudy	Cloudy
23	Cloudy	Rain	Clear
24	Clear	Clear	Cloudy

On the 6th, 16, 17, 18, 19, and 21st, wind North; 4th 5, 7, 20, and 22, North-east; 10th, 15, and 25th, East; 1st and 2d, South-east; 3d, South, 8th, 11, and 23d, South-West; 9th, 12, 13, 14, 24, 28, and 29th, West; 26th, 27, and 30th, North-west.

On the 10th, noon, Thermometer at 80°—the highest. On the 30th, morn. Thermometer at 38°—the lowest.

Range in the month, 42°.

On the 18th, morn. Barometer at 29.80 in.,—highest. On the 27th, morn. Barometer at 29.35 in.,—lowest.

Range 00.45 inch in the month.

The wind has been 10 days East of the Meridian, 13 West of it, 6 days north and 1 day south.

There was rain on 11 days of this month, viz: 1, 2, 8, 10, 11, 15, 16, 23, 25, 26, 27. The heaviest rains on the 2, 10, 15, 25, 26. A thundergust on the 10th,—a white frost on the 30th.—There were but 6 days, in the whole month clear, without clouds.—This month was 8° mean temperature, colder than last August, and 1½° colder than September, 1830. The month generally cold and cloudy.

PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, Oct. 6, 1831.

SELECT COUNCIL.—Mr. LIPPINCOTT presented the annexed petition which was referred to the Paving Committee.

To the Honorable the Select and Common Councils of the City of Philadelphia.

The subscribers, residents, or whose places of business are in the neighbourhood of Dock and Walnut streets, respectfully represent that in their opinion the expensive work now in operation for the repairing of the Culvert, will not be effectual for the preventing of the evils they have been for years exposed to, unless another one is constructed, the present one being totally inadequate for carrying off the immense body of water that in heavy rains is brought down the two culverts, meeting in one point, and with but one old wretchedly constructed Culvert to carry off the whole. Your memorialists beg leave to state, as an unsatisfactory proof of the correctness of their assertion, that on the evening of the 26th, during a heavy rain both Culverts were filled, and the water not having vent rose to the top of the immense excavation, overflowing its banks. They therefore respectfully request that the Culvert in Walnut street be continued down that street to the river. They are aware that some of the proprietors of property near the wharf, consider this a dangerous undertaking from the deep cut that must be made. Some of your memorialists have inquired of practical men, who have given a contrary opinion, and it is not unreasonable to solicit of the Legislation of the City, that in a matter of such importance they will ascertain from actual examination by impartial and competent persons, the real facts of the case and not be prevented from inquiry by the fears of any persons



however respectable, and which may prove entirely groundless.

Mr. Massey offered an ordinance relative to the Robert Morris Hose Company, which places it on a footing with other companies.

Mr. Toland offered the following resolution, which was passed by both Councils.

Resolved, by the Select and Common Councils, that the Mayor be and is hereby authorized to draw his warrant on the City Treasurer, in favour of the several City Constables, being for expenses incurred at the Ward Elections, held on the 30th ult.

Mr. Massey offered the subjoined ordinance, which was read and laid on the table.

An Ordinance for regulating the setting and re-setting of Curb Stone within the city of Philadelphia.

SECT. 1. Be it ordained and enacted by the citizens of Philadelphia, in Select and Common Councils, assembled, That from and after the passing of this Ordinance, any person or persons who shall set or re-set any Curb Stone in any of the public streets, courts or alleys within the city, without first obtaining permission in writing from the owner or owners, agent or occupant in front of which such Curb Stone is required to be set or re-set, or from the City Commissioners as the case may be, he or they shall forfeit and pay for the use of the city the sum of twenty dollars for every such offence, to be recovered before the Mayor or any of the Aldermen of the city of Philadelphia, as all such fines and forfeitures are recoverable by law.

Mr. Kittera offered the following resolution which was unanimously adopted.

Resolved, That the thanks of the Council be tendered to John M. Scott, Esq. their President, for the faithful manner in which he has discharged the duty of the Chair during the past year.

COMMON COUNCIL.—Mr. Baker presented a petition for paving Shoemaker street, which was referred to the Paving Committee.

Mr. Johnson presented a petition from George Bumm, which was referred to the Paving Committee with power to act.

Mr. Johnson as Chairman of the Committee for the purchase of wood for the necessitous poor, made the annexed report and resolution which were adopted by both Councils.

The Committee to whom was referred the purchasing of wood for the necessitous poor, report:

That they have purchased of Benjamin Duncan, one hundred cords of oak wood, at \$4 40 per cord.

	\$440 00
Cordage, .....	6 00
Hauling, .....	75 00
Piling, .....	18 75
Total, .....	\$539 75

They beg leave to offer the following resolution:

Resolved, By the Select and Common Councils, that the Mayor be, and he is hereby authorized to draw his warrant on the City Treasurer, in favor of Benjamin Duncan for the sum of five hundred and thirty-nine dollars seventy-five cents, and that the same be charged to the funds left in trust to the Corporation of the City of Philadelphia, for the purchasing of wood for the necessitous poor.

Mr. BAKER, as Chairman of the Committee on Markets, made the annexed Report and Resolution which were not agreed to. Ayes 6. Nays 8.

The Committee on Markets to whom was referred the petition of a number of persons holding stalls in the Market House, between Third and Fourth streets, Report:

That they have examined the roof of said Market House, and are of opinion that the roof on the north side of the Market is in a state of decay, and if the same is not repaired will cause the plastering to fall off, and

those persons paying rent for the stalls will have their produce nearly in as much danger of getting wet as if they had no shelter; they therefore offer the following resolution:

Resolved, That the City Commissioners be requested to have the roof on the north side of the Market House between Third and Fourth streets, newly shingled.

Mr. OLDENBURG as Chairman of the Committee to whom was referred the communication of WILLIAM RUSH, Esq. made the following report and resolution accompanied by the annexed extract from the minutes of the Wardens' Office, which were agreed to.

The Committee to whom was referred the communication from William Rush, Esq. respecting the River Schuylkill, report:

That they have communicated with the wardens of the port on the subject, and herewith annex an extract from the minutes of the said wardens. The Committee deem the subject of considerable importance to the City, therefore beg leave to offer the following resolution.

Resolved, That the subject be referred to the early attention of the next Councils.

Wardens' Office, Philadelphia, 29th Sept. 1831.

Extract from the minutes, viz:

"Resolved, by the Board of Wardens, that the communication made to Councils by William Rush, Esq. and submitted to this Board by the Committee to whom the same was referred, contains some very important suggestions relative to the improvement of the River Schuylkill, which entitle it to the most respectful consideration.

Resolved, That it is expedient, in the opinion of this Board, that application be made to the Legislature at their next meeting, for a law to affix and determine the line of low water mark on said River; and also, to make the necessary provision to prevent the construction of any wharves or piers on the said River Schuylkill, which shall not leave a free and unmolested passage for the water between the Eastern and Western shores thereof, of at least feet to be determined by survey." Attest, THOS. JACKSON, Clerk.

Mr. JOHNSON, offered the following preamble and resolution which were unanimously adopted, and which he prefaced with a very handsome and complimentary address in favor of the presiding officer of the Common Council.

Whereas the disinterested, unassuming and dignified conduct of the presiding officer of the Council, has contributed much to the harmony and good feeling which prevailed among its members during the present session,

Therefore, Be it resolved by the Common Council of the City of Philadelphia, that the thanks of its members individually and collectively, are due to James Page, Esq. for the able, dignified and impartial manner in which he has discharged the duties devolved on him as president of this Council.

## STATISTICS OF PRISONS AND CRIME.

The "Society for alleviating the miseries of prisons," has for several years collected facts respecting crime in this state, and has annually published the result in very interesting series of tables—which will be found in Vol. 1, 2 and 5, of the Register. To their industry and zeal we are indebted for the following tables, exhibiting the state of the prisons, and of crime, for 1830. They merit the serious attention of our readers. If continued, as we hope they will be, these tables will in a few years embrace a body of facts of great value to the philanthropist and political economist—which but for the exertions of the Society, would probably never have been collected.

A STATEMENT

OF THE

CRIMINAL BUSINESS

OF THE

Circuit Court of the United States for the Eastern District of Pennsylvania—of the Mayor's Court for the City of Philadelphia—of the Court of Quarter Sessions for the County of Philadelphia—and of the Court of Oyer and Terminer for the City and County of Philadelphia.

FOR THE YEAR 1830.

OFFENCES.	Mayor's Court.					Co't of Quarter Sessions.					Oyer & Terminer.					Circuit Co't, U.S.				
	No. of Bills.	True Bills.	Ignoramus.	Acquitted.	Not Tried.	No. of Bills.	True Bills.	Ignoramus.	Acquitted.	Not Tried.	No. of Bills.	True Bills.	Ignoramus.	Acquitted.	Not Tried.	No. of Bills.	True Bills.	Ignoramus.	Acquitted.	Not Tried.
Adultery, .....	5	4	1	2	2															
Assault and Battery, .....	209	161	48	81	19	61	228	141	87	67	14	60								
Ass't & Bat. to kill, .....							3	3					1	1						
Assault & Battery to commit a rape, .....													1	1						
Bigamy, .....	1	1		1		2	2		2						1					
Bawdy House, .....	4	3	1	2	1		4	4		2										
Burglary, .....											10	9	1	7	2					
Conspiracy, .....	3	3		1		2	1	1												
Disorderly House, .....	6	5	1	2	1	2	11	8	3	4		4								
Escape, .....	3	3		2	1															
Forcible Entry, .....	1	1		1			2	2		1		1								
Forgery and Uttering forged notes, &c., .....	10	8	2	5	1	2	9	6	3	3	3					1	1			1
Pornic'n & Bastardy, .....	10	8	2	4	2	2	11	11		6	1	4								
Fraudul't Insolvency, .....							1	1			1									
Gaming, .....	3	3		1		2														
Larceny, .....	261	230	31	165	25	40	213	163	50	128	24	11								
Larceny of the Mail, .....																1	1		1	
Libel, .....	4	4		2	1	1					4	3	1	1	2					
Manslaughter, .....																				
Misdemeanor, not otherwise described, .....	42	36	6	15	6	15	16	11	5	5	2	4		1	1	1		4	4	1 1 2
Murder, .....											4	2	2	2						
Nuisance, .....	3	3		1		2														
Obstructing the mail, .....																2	2			2
Perjury, .....	1		1																	
* Prosecuting & Soliciting a capias against a public minister, .....																1	1			1
Rape, .....											1		1							
Riot, &c., .....	7	7		5	1	1	4	3	1		3	1								
Rescue, .....							1	1												
Rec'g stolen goods, .....							1	1		1										
Robbery, .....											3	2	1	2						
Robbery of the Mail, .....																6	6		5	1
Revolt, .....																1	1			1
† Tippling House, ..	31	30	1	9	2	19	116	110	6	43	13	54								
Total, .....	604	510	94	297	64	149	623	468	153	264	58	146	25	19	6	13	6	0	17	17
Total for 1828, ....	473	374	99	224	56	94	507	363	144	205	60	98	22	18	4	15	3	0	30	26
Total for 1829, ....	434	320	114	184	66	70	569	420	149	204	97	119	28	22	6	13	5	4	4	4

\* In this case the Judges were opposed in opinion, and the case was sent to the Supreme Court of the United States.

† In these cases many of the defendants could not be found.

WALNUT ST. EASTERN AND WESTERN PENITENTIARY.

A statement shewing the number of prisoners, received during the year 1830, at the Penitentiary in Walnut Vol. VIII.

street, in the City of Philadelphia, at the Eastern Penitentiary in the County of Philadelphia and at the Western Penitentiary in the City of Pittsburgh, the nature of their offences, &c. &c.

Received during the year 1830.	Penitentiary Walnut-st.	Eastern Penitentiary.	Western Penitentiary.	Total.	The prisoners received during the year 1830, were sentenced in the following COUNTIES.	Penitentiary Walnut-st.	Eastern Penitentiary.	Western Penitentiary.	Total.
Assault & Battery to kill,	4		1	5	Adams,		1		1
Assault & Battery to ravish.	2		3	5	Allegheny,			15	15
Bigamy,			2	2	Armstrong,			1	1
Burglary,		16	2	18	Berks,	1	2		3
Conspiracy,	2		2	2	Bradford,	2			2
Forgery & uttering forged notes, &c.	2	8	1	11	Bucks,	4	1		5
Horse stealing,		10	2	12	Cambria,			1	1
Larceny,	220		22	242	Centre,			2	2
Manslaughter,		1	2	3	Chester,	7	3		10
Misdemeanor not otherwise described,	8		1	9	Columbia,		1		1
Murder, 2d degree,		8	2	10	Crawford,			1	1
Perjury,			1	1	Cumberland,	1	1		2
Rape,		1	1	2	Dauphin,	4			4
Robbery,		5		5	Delaware,	1			1
					Greene,			1	1
Total,.....	238	49	40	327	Huntingdon,			2	2
Discharged in 1830, by expiration of sentence,	174	3	30	207	Lancaster,		5		5
By pardon,	28		3	31	Lehigh,	1			1
By death,	26	1	3	30	Luzerne,		1		1
By escape,	5		1	6	Lycoming,		1		1
Total,.....	233	4	37	274	Mifflin,			5	5
Received in 1825,	M. 223 F. 32	M. * F. *	M. F. Total.	253	Montgomery,	2	8		10
1826,	234 62			296	Northampton,		2		2
1827,	237 57		5	299	Northumberland,	1	2		3
1828,	227 52		12	291	Perry,		1		1
1829,	201 50	9	33 7	302	Philadelphia,	210	19		229
1830,	185 53	49	36 4	327	Pike,	1			1
Remaining on the 31st of December,					Schuylkill,		1		1
1827,	504 72			576	Union,	1			1
1828,	484 72			556	Venango,			1	1
1829,	417 60	9	59	545	Warren,			1	1
1830,	416 66	54	62	598	Washington,			6	6
Ages of those received during the year 1830, were					Wayne,	2		4	4
Of or under 15 years of age	6				Westmoreland,				
From 15 to 20 years,	16	8	3	1	Total,.....	238	49	40	327
20 to 25	61	8	11	2	Places of nativity of the prisoners remaining in Jail on 31st of Dec. 1830	M. F. * M. F. * M. F.			
25 to 30	33	11	3		Maine,	2			
30 to 40	35	12	12	1	Vermont,	2			
40 to 50	18	6	4		Massachusetts,	11			
50 to 60	11	3	3		Rhode Island,	1	1		
60 to 70	3	1			Connecticut,	3	2		
70 to 80	2				New York,	34	5	2	
Total,.....	185 53	49 00	36 4		New Jersey,	50	5	3	
Ages of the whole No. of prisoners remaining in the Jails on the 31st Dec. 1830.					Pennsylvania,	146	20	29	5
Under 15 years of age,	4				Delaware,	41	3	2	
From 15 to 20 years,	27 17	6	5	2	Maryland,	39	4	3	
20 to 25	108 13	14	22	3	District of Columbia,			1	
25 to 30	80 14	10	17	1	Virginia,	9	1	4	
30 to 40	119 16	12	7		North Carolina,		1		
40 to 50	47 5	9	4		South Carolina,	1	1		
50 to 60	19 1	2	1		Tennessee,		1		
60 to 70	10				Kentucky,	1			
70 to 80	2	1			Ohio,		1	1	1
Total,.....	416 66	54 00	56 6		Louisiana,	1			
There has been no re-commitment to the E. Penitentiary.					Florida,	1			
* Not ascertained.					Nova Scotia,	1			
					Canada,	1			
					New Brunswick,	1		1	
					New Foundland,	1			
					West Indies,	3			
					England,	13	1	1	
					Scotland,	7			
					Ireland,	38	6	8	
					France,	1	2		
					Germany,	4			
					Holland,	2			
					Africa, and Fayall,	2			
					Total,.....	416 66	54 00	56 6	598
					* Not ascertained.				



CONVICTIONS.	Penitentiary.		Eastern Penitentiary.		Western Penitentiary.		Total number of Males.	Total number of Females.
	M.	F.	M.	F.	M.	F.		
First Conviction,	254	35	00	0	4			
Second do	93	00	14	00	36	0		
Third do	44	00	3	00	0	0		
Fourth do	20	00	2	00	0	0		
Fifth do	3	00	0	00	0	0		
Sixth do	2	00	0	00	0	0		
Uncertain do	0	00	0	00	12	6		
Repeated do	0	00	0	00	8	2		
Total,.....	416	66	54	00	56	6		
COLOUR of those in Jail Dec. 31, 1830.								
Whites,	249	17	38	00	40	1	527	18
Blacks,	167	49	16	00	16	5	199	54
Total,	416	66	56	00	56	6	526	72

\* Not ascertained.

## A STATEMENT

Exhibiting the number of Commitments received at the JAIL OF THE CITY AND COUNTY OF PHILADELPHIA, (ARCH STREET,)

For the year 1830—the Offences, Sexes, &c.

Months of the year,.....	Males.		Females.		Total number each month.....
	Whites.	Blacks.	Whites.	Blacks.	
Janu'y	95	58	33	67	120
Febru'y	77	65	24	51	122
March,	79	64	38	74	124
April,	50	104	38	162	120
May,	62	105	59	139	170
June,	44	86	67	190	171
July,	40	128	64	112	155
Aug <sup>st</sup>	88	152	57	222	229
Sept'r,	38	91	63	120	144
Oct'r,	52	67	56	118	145
Nov'r,	87	104	61	138	213
Dec'r,	79	78	45	107	159
Total,	791	1102	608	1431	1872
Tot. in	1826	719	652	948	1145
1827	827	881	868	1369	1995
1828	775	991	780	1527	2037
1829	742	699	730	946	1490

Three hundred of the Vagrants were discharged, before the expiration of their sentences, by the commit-

ting magistrate; and one hundred and sixty-two of the persons committed, as idle and disorderly, were also discharged by the committing magistrates.

## ANNUAL SICK REPORT OF THE PHILADELPHIA PRISON FOR THE YEAR 1830.

## I. Sick in Hospital.

Remaining sick on the 1st of January, 1830, 12  
Taken under treatment during the year, 256

Total under treatment, 268

Of this number there were—

Cured, 202  
Discharged, relieved, 22  
Discharged, time of sentence expired, 2  
Died, 26

Total terminated cases, 252

Remaining under treatment on 31st Dec. 1830 16

## Monthly Statement of Admissions and Deaths.

	Admissions.		Deaths.	
January,	-	30	-	0
February,	-	11	-	1
March,	-	15	-	3
April,	-	22	-	1
May,	-	21	-	4
June,	-	24	-	3
July,	-	29	-	3
August,	-	24	-	2
September,	-	26	-	4
October,	-	21	-	2
November,	-	12	-	1
December,	-	21	-	2

Total Admitted 256 Total Died, 26

## Diseases in the Fatal Cases, with the Number of Deaths from each Disease.

	Deaths.
Pulmonary Consumption caused,	7
Dropsy of the Chest,	5
Typhus,	4
Dysentery,	1
Dropsy,	1
Chronic Inflammation of the Bowels,	1
Atrophy,	1
Epilepsy,	1
Bilious Fever,	1
Inflammation of the Lungs,	1
Bilious Pleurisy,	1
Typhoid Pleurisy,	1
Remittent Fever,	1
	26

Males, - - - 24  
Females, - - - 2

Total, 26

## II. Sick in Quarters.

Remaining on the list of sick in Quarters on the 1st of January, 1830, 14  
Received on the list during the year, 973

Total under treatment during the year, 987

Of this number there were—

Cured, 884  
Transferred to sick in Hospital, 85

Total terminated and transferred cases, 973

Remaining under treatment on the 31st of December, 1830, 14

The average number of prisoners for the year 1830, has been 477. The deaths having been 26, gives the mortality for the year 1830 at 5.4 per cent.

## TABLE OF THE DISEASES

OF THE

## HOSPITAL OF THE PHILADELPHIA PRISON.

Tabular View of cases admitted into the Hospital of the Philadelphia Prison, giving the number of Diseases in each month, and the number of cases under each morbid affection for the year 1830.

DISEASES.	Remaining 1 Jan. 1830.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Number of Cases.	Deaths.	Cures, &c.	Remaining 1 Jan. 1831.
Febris, - - -	0	6	3	1	1	1	3	7	2	7	0	0	3	34	0	32	2
Intermittens, - -	0	3	4	1	8	4	3	2	11	5	11	0	0	50	0	50	0
Remittens, - - -	0	0	0	0	0	0	0	1	0	0	0	0	0	1	1	0	0
Biliosa, - - - -	0	0	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0
Typhus, - - - -	0	0	0	1	0	0	0	0	0	0	1	1	0	7	4	3	1
Tonsillitis, - - -	0	0	0	0	0	0	1	0	0	0	0	1	1	3	0	3	0
Catarrhus, - - -	0	3	0	1	2	1	0	2	0	0	0	1	3	13	0	11	2
Bronchitis, - - -	0	2	0	0	0	0	1	0	0	0	0	0	0	3	0	3	0
Pleuritis, - - - -	2	2	1	1	1	1	1	0	0	2	0	2	2	15	0	15	0
Pneumonia, - - -	0	1	0	0	0	1	1	0	0	0	0	0	0	3	1	2	0
Biliosa, - - - -	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	0	0
Typhodes, - - -	0	0	0	0	0	0	0	0	0	0	0	2	2	2	1	0	1
Dyspnœa, - - - -	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	1	0
Hydrothorax, - -	1	0	0	0	1	2	1	2	1	0	0	0	2	10	5	3	2
Hæmoptysis, - -	0	0	0	1	0	0	0	1	0	0	0	0	0	2	0	2	0
Phthisis, - - - -	1	0	1	2	1	1	1	0	0	1	1	1	0	10	7	1	2
Gastritis, - - - -	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	1	0
Gastralgia, - - -	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	1	0
Hæmatemesis, - -	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	1	0
Cholera Morbus, -	0	0	0	0	0	0	6	1	1	0	0	0	0	8	0	8	0
Obstipatio, - - -	0	0	0	0	0	1	0	2	1	1	0	0	0	5	0	5	0
Colica, - - - - -	2	0	1	0	0	1	0	0	0	0	0	0	0	4	0	4	0
Enteritis, - - - -	1	0	0	0	0	0	1	0	0	0	0	0	0	2	1	1	0
Diarrhœa, - - - -	0	1	0	0	0	2	6	2	0	1	2	0	0	16	1	14	1
Hydrops, - - - -	0	1	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0
Anasarca, - - - -	0	0	0	1	0	0	0	1	0	0	0	0	0	2	0	2	0
Ascites, - - - -	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	1	0
Tympanitis, - - -	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	1	0
Nephritis, - - - -	1	0	0	0	1	0	0	0	0	0	0	0	0	2	0	2	0
Cephalalgia, - -	0	0	0	1	1	0	0	0	0	1	0	0	0	3	0	3	0
Epilepsia, - - - -	0	0	0	0	0	2	0	0	1	0	0	0	0	3	1	2	0
Apoplexia, - - -	0	0	0	1	0	0	0	0	0	0	0	1	0	2	0	2	0
Mania a Potu, - -	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0
Eruptio, - - - -	0	0	0	0	0	0	1	1	0	0	0	1	1	4	0	3	1
Varioloides, - - -	0	0	0	0	0	0	0	0	1	5	1	0	0	7	0	7	0
Rheumatismus, - -	1	3	1	0	1	2	0	0	0	0	0	3	3	11	0	9	2
Lumbago, - - - -	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	1	0
Scrofula, - - - -	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	1	0
Atrophia, - - - -	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0
Debilitas, - - - -	2	1	0	0	1	0	0	0	0	0	1	0	0	5	0	4	1
Ptyalismus, - - -	0	0	0	0	0	0	0	0	0	8	0	0	1	1	0	1	0
Ophthalmia, - - -	0	2	0	1	0	0	0	1	0	0	0	0	0	4	0	4	0
Hypertrophia Cordis,	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	1	0
Amenorrhœa, - - -	0	0	0	0	0	0	2	0	0	0	0	0	0	2	0	2	0
Dysmenorrhœa, - -	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	1	0
Contusio, - - - -	0	1	0	1	0	0	0	0	0	0	0	1	0	3	0	3	0
Vulnus, - - - - -	0	1	0	0	0	1	0	0	0	0	0	0	0	2	0	2	0
Ulcus, - - - - -	0	0	0	1	0	0	0	0	3	0	0	0	1	5	0	4	1
Abscessus, - - - -	0	0	0	0	2	0	0	0	0	0	0	0	1	3	0	3	0
Bubo, - - - - -	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	1	0
Hæmorrhoids, - - -	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0
Prolapsus Ani, - -	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	1	0
Fistula in Ano, - -	0	1	0	0	1	0	0	0	0	0	0	0	0	2	0	2	0
Stricture, - - - -	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	1	0
Number of cases in each Month.	12	30	11	15	22	21	24	29	24	26	21	12	21	268	26	226	16
No. of deaths in each Month.	0	0	1	3	1	4	3	3	2	4	2	1	2				

**DISEASES AND DEATHS.**  
IN  
**ARCH STREET PRISON DURING THE YEAR 1830.**

DISEASES.	Jan'y	Feb'y.	March.	April.	May.	June.	July.	August.	Sept'r.	October.	Nov'r.	Decem.	No. of each disease	No. of Deaths.
Fever Bilious, - -	0	0	0	0	0	0	1	0	0	0	0	1	2	0
Intermittent, - -	4	5	12	15	11	13	20	16	19	12	4	5	136	0
Remittent, - -	5	8	7	7	8	16	12	9	9	8	2	3	94	1
Hernia Humoralis, - -	0	0	0	0	0	0	1	0	1	0	0	0	2	0
Catarrh, - -	4	15	8	11	8	6	8	6	10	6	6	10	98	0
Rheumatism, - -	3	2	9	6	9	4	5	3	1	2	2	4	50	0
Phthisis, - -	1	0	0	0	0	0	0	0	0	0	0	0	1	0
Psora, - -	0	0	0	0	1	1	0	0	0	0	0	0	2	0
Pneumonia, - -	1	0	0	0	2	2	2	0	0	0	0	0	7	0
Intemperance and Mania a Potu,	6	1	6	11	9	19	12	11	11	9	7	121	4	
Gonorrhœa, - -	3	0	0	1	2	3	3	1	0	2	4	3	22	0
Diarrhœa, - -	0	0	1	1	1	4	3	3	2	0	0	1	16	0
Dysentery, - -	0	0	0	0	0	1	3	0	1	2	0	1	8	0
Syphilis, - -	3	1	1	1	3	4	5	10	4	2	5	5	44	0
Ophthalmia, - -	1	0	0	0	1	2	0	1	1	2	1	1	10	0
Pleurisy, - -	0	0	0	0	0	0	1	0	0	0	0	0	1	0
Palsy, - -	0	0	0	0	0	0	0	0	0	0	1	0	1	0
Odontalgia, - -	0	0	0	0	1	4	1	0	1	0	0	0	7	0
Quinsy, - -	0	1	4	3	1	1	1	0	1	2	2	2	18	0
Dropsy, - -	0	0	0	0	0	0	0	0	0	0	1	0	1	0
Debility, - -	0	0	0	0	0	0	1	0	0	0	0	0	1	0
Inflammation, - -	1	1	0	2	3	0	2	1	2	0	0	1	13	0
Ulcer, - -	1	0	1	2	3	2	2	1	1	1	0	3	17	0
Contusion, - -	1	2	0	0	0	2	3	2	2	1	1	1	15	0
Wound, - -	0	1	0	2	0	0	1	0	0	0	0	1	5	0
Jaundice, - -	0	0	0	0	0	0	0	0	0	0	1	0	1	0
Hæmoptysis, - -	0	0	0	0	0	1	0	0	0	0	0	0	1	0
Hæmorrhoids, - -	0	1	1	0	1	1	1	0	0	0	0	0	5	0
Convulsions, - -	0	1	0	0	0	0	1	0	0	0	0	0	2	0
Vertigo, - -	0	0	1	4	0	1	0	0	0	0	0	0	6	0
Asthma, - -	0	0	1	0	0	0	1	0	1	0	1	0	4	0
Hysteria, - -	0	1	0	0	0	0	0	0	0	0	0	0	1	0
Tumor, - -	1	0	0	0	1	0	0	0	0	0	1	0	3	0
Sprains, - -	1	0	0	0	0	1	0	0	0	0	1	0	3	0
Eruption, - -	1	3	1	3	2	0	3	0	1	3	1	0	18	0
Colic, - -	0	0	0	1	2	0	3	2	0	1	4	0	13	0
Burns, - -	0	0	0	0	0	0	0	0	0	0	0	1	1	0
Scrofula, - -	0	1	0	0	1	0	0	1	0	0	0	1	4	0
Erysipelas, - -	0	0	0	0	1	0	0	0	0	0	0	0	1	0
Parturition, - -	0	0	0	0	1	0	0	0	0	0	0	0	1	0
	37	44	53	70	72	88	103	68	68	55	47	51	756	5

Total number of Cases, - - - - - 756  
Deaths, - - - - - 5

751 Relieved and Cured.

White Men, - - - 3  
White Women, - - - 1  
Colored Women, - - - 1

5

All these prisoners were not confined to their beds in the Hospital, but received medical treatment as their respective cases required.

HARVEY KLAPP, M. D.

Published by order of the Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons.

JAMES J. BARCLAY, *Secretary of A. C.*



For the Register of Pennsylvania.

# THE ALCHEMIST.

No. XXX.

Lucidus ordo.

*Hor. Ars. Poet.*

## PERSPICUOUS METHOD.

No point in philosophy, or even in mathematics, is more susceptible of demonstration, than that order is the first law of nature, and the first element of society. In all which concerns the momentous subjects of legislation, judicature, ecclesiastical affairs, science, literature—men appear to be unanimous in regard to the general adoption of some fixed rules of proceeding, whenever they come together to act or to deliberate. The expressions,—“coming to order”—“being organized”—“forming a duly constituted society,”—and similar phrases, applied even to the most ordinary popular meetings, indicate how necessary it is deemed, by all persons conversant with social intercourse, to commence and proceed in the transaction of serious business, with a strict adherence to some known and acknowledged *order*.

But unfortunately, the necessity which all feel and admit, when acting in communities, many utterly overlook or disregard, in their individual practice,—just as some political economists appear to imagine that their vaunted *doctrines* have no application to their own personal or domestic concerns.

That I may not seem wholly to neglect what is about to be recommended to others, I propose to offer some examples of the evil consequences of a want of method: first, among men engaged in the ordinary useful occupations—next among the learned professions—and, finally in the studies and writings of men professedly devoted to the investigation and communication of truth.

There is a species of bustling among persons who would be thought active and efficient, which sometimes passes for real talent, and not unfrequently for energy in business.

In the industrious callings, it is manifested by the ceaseless hurry in which the individual finds himself. He has a score of things in hand, but none near its timely completion. Fifty engagements are virtually broken, where one is rigorously fulfilled. Disappointment breeds disgust in the minds of his employers. Every new perplexity brings a fresh mortification. His subordinate agents become sullen and discontented at the capriciousness of his requisitions, and the uncertainty of meeting his next unreasonable expectations. Promises are made with lavish tongue, but the hands which should make good those declarations, are dipping into so many matters at the same moment, that nothing corresponds, either in time or quality, with his own pretences, or with the just expectations which they have fostered in others.

Nothing more effectually blasts the prospects of mechanics and other industrious persons, than a want of punctuality. But that dispatch of business, on which punctuality depends, is out of the question, where no regular method is known or adhered to. A desire to retain or to multiply customers, often prompts artizans

to enter into contracts which a moment's reflection must show to be beyond their power of fulfilment; or a more profitable undertaking is permitted to set aside one already commenced, which consequently subjects the employer to numerous inconveniences, and vexations, while from day to day, or from month to month, he receives new promises and new deceptions, until he ceases to be deceived by *any thing* which the unprincipled contractor can utter, and all this loss of credit and of moral reputation, was perhaps owing to the want of a few moment's application, in completing a design, or in procuring some trifling material. The best remedy for the evil would be, for the public to withdraw all confidence and patronage from those who prove thus heedless of the obligation of a promise; and to encourage, by every means, the man, who, by a regular and systematic pursuit of his calling, is enabled to fulfil with punctilious fidelity, every engagement into which he enters.

Few men are so important, or, at least, so indispensable to the common welfare, that they can long be allowed to trifle with the good nature and just desires of their fellow citizens. One who so egregiously overrates his own importance as to imagine that society cannot do without him, and that he may set at defiance all the laws of prudence, will soon find a substitute stepping into his place.

The learned professions furnish still more lamentable exemplifications of the wretched impolicy of neglecting a regular system in the prosecution of their respective duties. The practice of neglecting engagements, postponing business and mixing up avocations is, in this case, both more injurious as an example, and more detrimental in its immediate effects, than in those already mentioned; because, as the parties are more prominent in the social walks, their very position displays every defect in a more glaring light, and as the duties are more difficult, the importance of their punctual discharge increases with their magnitude.

It is the absence of all method in the arrangement of ideas and the discussion of topics, which causes so much incongruity in many discourses from the pulpit. From this cause, it happens that a certain zealous divine, the Rev. Dr. Thwackbible, appears to preach, on all occasions, but one and the same sermon. However various the texts with which he prefaces it, the absence of all methodical preparation, soon reduces him to the alternative of either stopping in the midst of discourse to gather his shreds of thought, or of running on in some beaten track, and with a “specious verbosity” keeping up the current of sound, lest the shock of coming to a full stop should awaken his congregation—to the fact that they were listening for the hundredth time to a string of common places in which there was neither argument nor edification. The *docteur* prays and preaches too without book, but to this I would make no objection did he not also insist on preaching without thoughts, or praying without having any distinct petitions to offer. In the pride and boastfulness of his humility, he often declares that he sends forth his *poor thoughts* without *notes* or “comments.” In the latter particular, however, he is not quite accurate, for though his pom-

pious and incoherent declamations are not the results of any reading of written comments on his part, they are the subjects of many a spoken comment—which is any thing but creditable to the taste, talents or discretion of the worthy *divine*.

A like want of consistent classification of thoughts and methodical preparation for the duties of the bar, renders all the efforts of the pleader desultory and inconclusive. The very tone of the mind which in this, more than any other profession, is required to be on the highest tension, is relaxed by the careless and superficial preparation for pleading, and this feebleness of nerve is seldom unnoticed by opposing counsel. The deficiency, when not the result of sheer indolence (which I maintain, to be a complete disqualification for this noble profession,) is to be attributed to an entire absence of the habit of analysis, classification and just distribution of the thoughts. It is obvious that no universal rule can be laid down to govern the succession and nature of our thoughts. These even when employed on the most simple subject, will be different in different individuals, but that some order should be assumed and adhered to in our inquiries, and mental efforts, seems indispensable, as well for the sake of others as of ourselves. Whatever we would communicate in the form either of facts, or of principles, will generally be capable of arrangement upon some determinate plan, and success at the bar will demand the full benefit of the most luminous method.

The want of method in the healing art, extends not only to the comfort of the practitioner, but also to the good opinion of his brethren of the same calling, and to the domestic comfort as well as actual convalescence of his patients. If the "doctor" call at an unseasonable hour, and after having been delayed and confused by a multiplicity of engagements elsewhere, his prescriptions will have lost one half their efficacy by the previous anxiety of his *patients*; and probably the other half, by variance with his preceding practice. From the methodical distribution of his time, it may indeed sometimes be found necessary slightly to deviate, as urgent calls require; but if a provision for such contingencies, be made a part of his method, they can cause neither derangement, hurry, nor inconsistency, in the discharge of his ordinary duties.

But if, in things which concern our daily duties, and our professional avocations, order and method are demanded, to insure that success which every man desires, how much more in all that relates to our intellectual pursuits and improvements? In the former, the very presence of outward objects and the order of nature itself, recal us from many eccentricities of conduct, in which we might be led thoughtlessly to indulge. The association of ideas being that which depends on the juxtaposition of sensible things, will seldom fail to remind us of the duties of time and place, so that we have not the excuse that these matters had no chance to arrest our attention. But in the prosecution of any intellectual plans whether for the acquisition of knowledge, the development of abstract truth, or the communication of our ideas to others, we shall have no similar link

between our own minds and the subjects on which we would cause them to dwell. In such cases.

"*Ordinis hæc virtus erit et venus aut ego fulgor*  
*Ut jam nunc dicat, jam nunc dibentia dici,*  
*Pleraque differat, et præsens in tempus omittat."*

Whether reasoning processes be, as some maintain, dependent upon mere *sagacity* or as other assert result, from the natural suggestions of things themselves; whether in a word we be active or passive in obtaining the media of proof, it is evident that some distinct order must be attended to in contemplating, as well as in imparting our ideas, if we would turn their possession to any good account. We often find a most important difference in regard to the clearness and usefulness of knowledge according to the mode in which its elements have been made known to us. In the *sciences of observation*, such as the various branches of natural history, the necessity of order and method is soon felt by even the youngest tiro; but in none of these are the *objects* more difficult to be remembered, without classification, than the abstractions of intellectual and moral philosophy; and their relations to each other are certainly in the latter cases, as well as in politics and social economy, far more difficult to be retained, than in the sciences which refer to nature's works; because here all is capable of being submitted to the cognizance of the senses. It has been often observed that the votaries of natural history strive to manifest their ability by multiplying distinctions, sometimes without any perceptible differences. Many ridiculous disputes have been begun and maintained merely on questions of fact relating to trifling, inaccessible, or extinct races in the animal or vegetable kingdom.

The agitators of such unprofitable questions, have seized on one of the *incidents* in the study of natural history—classification—and attempted to elevate it into the dignity of a separate branch of science. But the conceit and vanity often manifested about these hair-breadth discoveries, cast contempt on the whole subject, and degrade the authors more than they elevate the pursuit.

A great enemy to method in the writings of many authors has obviously been the *cacoethes scribendi*, which led them to dash forward over the sheet heedless of order or coherence.

"Whatever first came in their scone,  
 Bounce, out it flew, like bottled ale, at once."

The very boast which such authors make of their faults, shows that they regard them as in some measure allied to excellencies, and as constituting, by their very existence, a claim to notice and renown; but this

"Desultory way of writing,  
 This hop, and step, and jump, mode of inditing,"

though sanctioned by the name of Pindar, among the ancients, and of Sterne, with many inferior geniuses among the moderns, is certainly far, very far from forming a just model of taste, logic, or instruction. I have observed it to be sometimes coveted by very young writers, under the impression that it would impart to their style a degree of spirit and vivacity, and remove the imputation of plodding and deep study; but

the inference is as erroneous as the intended effect would be deplorable. It is due to those who think long and profoundly on whatever subject, not to the superficial smatterers, that any department of science or literature receives a durable lustre. L.

### RETURNS OF THE ELECTION

*Held, on Thursday last, in the City and County of Philadelphia.*

#### CITY ELECTION.

##### SENATOR.

<i>Names of the Wards.</i>	<i>Hassinger.</i>	<i>Ingersoll.</i>	<i>Totals.</i>
1. Upper Delaware,	317	154	471
2. Lower Delaware,	251	270	521
3. High Street,	137	184	321
4. Chestnut,	227	127	354
5. Walnut,	120	145	265
6. Dock,	207	157	364
7. Pine,	202	158	360
8. New Market,	274	149	423
9. North Mulberry,	413	82	495
10. South Mulberry,	312	154	466
11. North,	293	202	495
12. Middle,	235	90	315
13. South,	213	135	348
14. Locust,	377	185	562
15. Cedar,	261	86	347
<i>Totals.</i>	3829	2278	6107

David S. Hassinger is elected Senator by a majority of 1551 votes.

##### ASSEMBLY.

<i>Democrats.</i>	<i>National Republicans.</i>
Charles H. Kerk, 3708	Abraham Miller, 2890
Joseph Hemphill, 3526	William H. Keating, 2759
Paul S. Brown, 3364	George W. Toland, 2434
Samuel R. Davis, 3353	William T. Smith, 2389
John H. Campbell, 3349	Thomas W. Morris, 2376
John W. Ashmead, 3344	Robert Hare, jr., 2336
Thomas S. Smith, 3288	Samuel J. Robbins, 2255

##### WORKING MEN.

James McHenry, -	-	-	382
William Baker, -	-	-	372
William H. Gillingham, -	-	-	370
William J. Bedlock, -	-	-	370

##### SELECT COUNCIL.

John R. Neff, 3444	Henry Troth, 2765
Daniel Groves, 3431	Anthony Cuthbert, 2762
Charles Johnson; sr. 3359	Manual Eyre, 2338
Joseph Worrell, 3339	Joseph P. Norris, jr. 2322
<i>For the unexpired term of W. Boyd, resigned.</i>	
Thomas M. Pettit, 3444	Mark Richards, 2154
John S. Warner, 361	

##### COMMON COUNCIL.

John P. Wetherill, 3952	Isaac Elliott, 2712
Silas W. Sexton, 3855	Joseph Aken, 2675
William J. Leiper, 3553	Adam Ramoge, 2678
Isaac Wainright, 3536	Lawrence Lewis, 2659
Lewis Ryan, 3524	John Gilder, 2655
James Page, 3516	Isaac Meyer, 2652
John Patterson, 3509	Joshua Tevis, 2376
Wm. E. Lehman, 3507	Samuel English, 2374
John M. Hood, 3500	Joshua Emlen, 2367
Joseph Murray, 3495	William H. Hart, 2361
Michael Baker, 3489	Elhanan W. Keyser, 2352
John Moss, 3488	David Paul Brown, 2333
Abraham Okie, 3478	George Thomas, 2332
John Horn, 3474	Samuel Norris, 2325
David Oldenburg, 3472	Samuel Rush, 2322
James Pearson, 3467	Charles H. Baker, 2322
Henry S. Coryell, 3448	Samuel Spackman, 2308

Peter Fritz, 3445	Samuel Keemle, 2291
Thomas C. Maherry, 3420	William C. Hancock, 2274
John T. Sullivan, 3203	Stephen E. Fotherall, 2182

##### WORKING MEN.

Charles Wetherill, -	-	-	390
Robert E. Nuttle, -	-	-	373
George Taber, -	-	-	368
Adam Dialogue, -	-	-	367
Henry S. Tanner, -	-	-	366
Henry C. Corbit, -	-	-	362
Joseph Strahan, -	-	-	361
William Marriott, -	-	-	359
William Edwards, -	-	-	357
John Crean, jr., -	-	-	355
J. A. M. Chintock, -	-	-	354
Lewis Stegagani, -	-	-	348

#### CITY AND COUNTY.

##### COUNTY COMMISSIONER.

	<i>City.</i>	<i>County.</i>	<i>Totals.</i>
John Thompson, -	3122	4162	7284
David Paul, -	2915	3438	6353
Thompson's Majorities,	207	724	931

##### AUDITORS.

James F. McElroy, -	3240	4240	7480
James Hanna, -	2345	2194	4539
Benjamin P. Binns, -	377	1069	1446
<i>For the unexpired term of Saml Coates, deceased.</i>			
John J. McCahen, -	3140	4180	7320
Thomas Morrell, -	2141	48	2189
George Peters, -	376	3182	3258

#### COUNTY OF PHILADELPHIA.

##### ASSEMBLY.

##### Jackson and Wolf.

William Hinckle,* -	6261.
Thomas J. Heston, 4462	John Thompson, 3502
F. Vansant, 4461	Thomas Davis, 3303
Daniel K. Miller, 4451	Peter Buddy, 3284
Jacob Collar, 4448	Samuel Whitton, 3225
John Felton, 4411	William Bender, 2173
Richard Peltz, 4404	David Snyder, 2090
James Goodman, 4390	Jacob Thomas, 2053
	Thomas McCully, 1800
	Samuel Bender, 1339
	George Rhen, 1334
	Robert M. Nixon, 1316

\*This name was on both Tickets.  
The names in *Italic* letter, in the preceding Tickets, were also on the *Working Men's* Ticket.

##### COMMISSIONERS OF NORTHERN LIBERTIES.

William Wagner, 1234	John Naglee, 1178
William Bruner, 1258	Jacob Culp, 1176
William Randolph, 1252	Daniel Jeffras, 1159
Augustin Stevenson, 1244	David Dillinger, 1155
Philip Justice, 1217	Jona. Townsend, 1154
W. M. Kennedy, 1200	John Rheiner, jr. 1146
William Binder, 1193	J. D. Goodwin, 1134
M. Brown, 1 year, 1202	C. Elliott, 1 year, 1172

##### COMMISSIONERS OF SPRING GARDEN.

Miles N. Carpenter, 669	William Cobb, 472
John D. Huhn, 658	D. R. Erdman, 461
George W. Riter, 581	Benjamin Davis, 382
Isaac Maculey, 563	Edward Turner, 371
Nicholas Fullmer, 548	John Grace, 365

##### COMMISSIONERS OF SOUTHWARK.

Lemuel Paynter, 1361	Cornelius Tiers, 534
John Keefe, 1361	George H. Tresse, 480
Saml. H. Trainer, 1353	George L. Eyre, 474
John Floyd, jr. 1347	George M'Leod, 466
F. G. Wolbert, 1333	Daniel Green, 458

The names of the Gentlemen elected are placed in the first Column.



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 17. PHILADELPHIA, OCTOBER 22, 1831. NO. 199

## FREE TRADE CONVENTION.

For the purpose of introducing the address of this body, as well as to have the minutes of the convention in a more official form—we defer for the present the continuation of the proceedings begun to be published in our last number.

### *Address of the Convention to the People of the United States.*

A portion of your fellow citizens, resident in different states of the Union, who are numerous, respectable and intelligent, who like yourselves, are attached to the principles of free government, and ardently devoted to the great constitutional charter, which consecrates and upholds them—who ask only an equal participation in the benefits, and are ready to bear an equal share of the burthens of the government—who are willing, moreover, to concede to others a perfect right to the full enjoyment of whatever they ask for themselves; such a portion of your fellow citizens, whose condition, character, motives and views are thus faithfully delineated, have deputed us to represent them on an occasion deeply interesting to their feelings as men, and vitally important to their interests as citizens of this great confederated Republic. They have called upon us to unite our counsels for the redress of the grievances under which they labour; and have enjoined it upon us, as a duty, to omit no means for the accomplishment of this object, which may consist with our obligations as citizens, and with their own faithful and ardent devotion to the bond of our common union. In the performance of a duty like this, we cannot be insensible to the propriety of a frank and respectful communication with our fellow citizens at large. We are members of the same great political family. Our interests are common, and so also are our duties; and it cannot be that any portion of our brethren can desire to withhold from us our just share of the benefits, or to subject us to an undue proportion of the burthens, which flow from the government under which we live. We have equal confidence in their justice and intelligence; and assure ourselves that it is only necessary to bring home to their understandings the conviction of the evils under which we suffer, to secure their cordial co-operation in prompt and effectual measures for their removal. We would commune with you, then, in the spirit of these feelings. We must speak with frankness. It may be that our language will borrow strength from the conviction of our wrongs, but we will not forget the just respect which is due to those who differ from us in opinion, and cannot be unmindful of the affection which we bear, and which we earnestly desire to cherish towards our brethren throughout the Union.

The representatives of portions of our fellow citizens, belonging to different states of this confederacy, have assembled in the city of Philadelphia, to consider the grievances which they suffer under the existing tariff of duties, and to devise, if happily they may do so, some constitutional and peaceful mode of redress. Speaking generally, they have come together as strangers to each other, with all the variety of opinions on

most subjects, which springs from different habits and pursuits, and is perhaps inevitably incident to the imperfection of our common nature. On one engrossing question, that which constitutes the subject of this address, looking as well to its principles as its details, they have found a concurrence of opinion, which, as they believe, entitles them to ask for that opinion, and for the reasons on which it is founded, the attentive and dispassionate consideration of the American people.

Among the evils which flow from the tariff system, as at present established by law, the ardent and determined opposition to that system, which exists in various parts of the Union,—the deep and settled discontent which is felt, and has been manifested by a numerous, patriotic, and intelligent portion of our fellow citizens,—cannot fail to awaken the liveliest solicitude of every lover of his country. Let it be remembered that this is no transient feeling—the offspring of momentary excitement—one which may be expected to pass away under the influence of a more calm and dispassionate reflection. No—the system of which we complain is not of recent origin, and the feeling of discontent, which was coeval with its institution, time and experience have only served to strengthen and increase. Let those who sincerely desire to perpetuate the political blessings which we enjoy, look to this consideration with the attention which it demands. This is emphatically a government of opinion. The vigor of the laws is a moral force. The bond which unites us is the sense of our common interest—the conviction of our equal rights—the assurance of our capacity to assert, and the feeling that we actually enjoy them. Take from any considerable portion of the American people the consciousness that they are in the full possession of their rights as freemen; substitute for it the spirit of discontent, which springs from the conviction of wrongs inflicted, not inadvertently, but with deliberation, which are not temporary, but enduring; and you array against the government a force which is of like character with that which sustains it—you awaken a feeling of resentment, which is goaded into activity by a sense of oppression, and embittered by the recollection that it is the hand of a brother which inflicts it. Such is the feeling which pervades a numerous and respectable portion of the American people. It cannot be defied, and may not be disregarded, without putting to hazard the safety of the confederacy.

Do you doubt its existence, its nature, or degree? Look to the character of this assembly—to the circumstances under which it is convened. Give your attention to the history of the past, and be admonished of the novel and extraordinary spectacle which is presented to your view. Do not close your eyes to the fact, that this assembly is altogether without parallel since the foundation of the government—that we are freemen, and the representatives of freemen, who speak to you of our violated rights—that we have come from different and distant parts of the Union to join in demanding their restoration—that a consciousness of strength is the offspring of united counsels—and that our purpose is not the less firm, because it is announced to you peacefully, and in the spirit of conciliation.

A numerous and respectable portion of the American people do not merely complain that this system is unjust, but they question the right to establish it. They

do not doubt—they utterly deny—the constitutional power of Congress to enact. In justice to that body, we invite your candid attention to a brief consideration of their views on this subject. The constitutional validity or invalidity of an act of Congress does not necessarily depend upon the question whether the judicial department of the government would affirm the one or the other of these propositions. It may be that an act will in its operation and effect be subversive of the principles of the constitution, and yet on its face be superior to all just exception on that ground. Literally and in terms it may be in execution of an expressly granted power—in its operation and effect it may not only transcend that power, but may directly contravene it. Under the pretence of supplying a revenue, Congress may raise money beyond the purposes to which it can be legitimately applied, or may increase the duties to an amount which will be prohibitory of importation, and consequently destructive of all revenue to be derived from that source. Still such an act would purport to be in the execution of the power to lay and collect taxes; and courts of justice judging of it by its terms, and by what is apparent on its face, would not affirm its invalidity. But the constitution is equally obligatory on every department of the government—on the legislator who enacts, as well as on the judge who interprets a law. If the former shall so veil his unlawful purpose as to defend it from the scrutiny of the latter, is it less a violation of *his* constitutional obligation? If it be such a violation can it be constitutionally valid?

If instead of the absence of any express grant of power to protect manufactures, the constitution had contained an express clause of inhibition, an act of Congress, imposing duties beyond the purposes of revenue, and thereby operating as a bounty to the manufacturer; would, they insist, be admitted to be in violation of the constitution, and yet the repugnance would not be manifest upon its face, and would therefore elude the judicial power.

A numerous and intelligent portion of the American people believe that this view is applicable to the tariff of 1828. They admit the power of Congress to lay and collect such duties as they may deem necessary for the purposes of revenue, and within these limits so to arrange those duties as incidentally, and to that extent, to give protection to the manufacturer. They deny the right to convert what they denominate the incidental into the principal power, and transcending the limits of revenue to impose an additional duty, substantively and exclusively for the purpose of affording that protection. They admit that Congress may countervail the regulations of a foreign power which may be hostile to our commerce, but they deny their authority permanently to prohibit all importation for the purpose of securing the home market exclusively to the domestic manufacturer,—thereby destroying the commerce they were entrusted to regulate, and fostering an interest with which they have no constitutional power to interfere. That portion of our fellow citizens of whom we speak, do not therefore hesitate to affirm, that if the right to enact the tariff law of 1828 be referred to the authority to lay and collect duties, &c. it is a palpable abuse of the taxing power, which was conferred for the purpose of revenue;—if to the authority to regulate commerce, it is as obvious a perversion of that power, since it may be extended to an utter annihilation of the objects which it was intended to protect. Waving however this discussion, we concur in the opinion, that if the aggrieved party is deprived of the protection which the judicial department might otherwise afford, it would strengthen his appeal to the American people to unite with him in correcting the evil by peaceable and constitutional means.

But there is a view of this subject which may claim the concurrence of all those who are prepared to admit that the tariff is unequal in its operation, oppressive and unjust. The constitution of the United States had

its origin in a spirit of compromise. Its object is the security of those rights which are committed to its protection—its principle that of an equal participation in the benefits and in the burthens of the government. A system of taxation which is unequal in its operation, which oppresses the many for the benefit of the few, is therefore unjust, not merely with reference to the great and immutable principles of right which are applicable to human conduct, but is moreover in direct collision with that constitutional equality of right, which this instrument was thus confessedly intended to secure. A distinguished jurist of Massachusetts, one who is advantageously known as such to the people of the Union, has said of the system of which we complain, that it is calculated “to destroy many of the great objects for which the constitution of the United States was originally framed and adopted.” Who will affirm that such a system can consist with the spirit of the constitution? Its enactments may be so veiled as to elude the judicial power, and may therefore be obligatory upon the other departments of the government—but as between constituent and agent, between the people and their rulers, the charter will in such case have been violated, and it will belong to them to correct the evil. Why should we fear to enunciate this principle? Is it because of the danger of those interests which have grown up under the system? A just consideration of the subject will lead to a directly opposite result. If it be conceded that the system is oppressive, unequal and unjust, can those who profit by it deceive themselves with the expectation of its permanency? Is it prudent to close their eyes to the consequences, to which, sooner or later, this conviction must inevitably lead? Distinguished as this system is, by every characteristic which may define a tyranny the most odious, why should we, who are its victims, not stand upon our chartered rights?

As men and brethren we appeal to you then to unite your efforts with ours in the correction of this abuse. A system which is unequal in its operation, and therefore unjust—which is oppressive, because it burthens the many for the benefit of the few—grossly, fatally unwise and impolitic, since it is subversive of the harmony of the Union—which is in violation of the principles of free government, and utterly at variance with the spirit of justice and mutual concession in which the constitution was conceived and adopted; such a system, if persevered in, must alienate our affections from each other, engender discontents and animosities, and lead inevitably, and with a force which no human power can resist, to the most awful of all calamities. We entreat those who differ from us, seriously to ponder this view of the subject. We entreat them not to misunderstand us. We cannot be deterred from the discharge of our duties to ourselves and our common country by the menace of consequences, and we are equally incapable of using its language to others. It is as men and brothers—in the spirit of an affection which is still warm and undiminished, that we would call their attention to those inevitable results, which neither they nor we will have the power to avert.

Examine the subject for a moment in its connexion with the principles of an enlightened political economy, and see if the considerations which are urged to sustain this system are not fallacious and delusive. The view must be necessarily brief—consisting of hints and suggestions rather than of an extended argument, or of minute details; but our object will be attained if these may serve to awaken a spirit of dispassionate inquiry.

We are the advocates of free trade. The argument which sustains it rests upon a proposition which may not be denied. It is the unquestionable right of every individual to apply his labour and capital in the mode which he may conceive best calculated to promote his own interest. It is the interest of the public that he should so apply it. He understands better than it can

be understood by the government, what will conduce to his own benefit; and since the majority of individuals will, if properly protected, be disposed to follow their interests, such an application of their industry and capital must produce in the result the greatest amount of public good. Let it be remembered, that the question relates exclusively to the *application* of capital. It cannot be *generated* by an act of legislation. The power of the government is limited to its *transfer* from one employment to another. It takes from some less favored interest, what it bestows on the one which it professes to protect. It is equally untrue that such a system gives greater employment to labor. Its operation is confined to the simple change of its application.—Laws which protect by bounty any peculiar species of labor, cannot be said to encourage *American* industry—that is, directed to various objects. These laws favor only a single class; and since the bounty is not supplied by the government, but taken from the pocket of the individual, the protection which is given to one species of labor, is so given at the expense of every other. That course of legislation, which leaves American capital and labor to the unlettered discretion of those who possess the one and apply the other, can alone be denominated the “American System.”

The interference of government, with the right of the individual to apply his labor and capital in such mode as he may think most conducive to his own interest, thus necessarily operates to diminish the aggregate amount of production. In other words, the amount of the necessities and conveniences of life which are enjoyed by the community is necessarily diminished. If all nations then were willing to adopt the system of free trade for which we contend, which is accordant to the spirit of Christianity and calculated to unite nations in harmony and peace, it cannot be doubted that the interests of each would be promoted. The only question which can be raised on this part of the subject is, whether the adoption of a restrictive policy by one or more nations makes it the interest of others to reciprocate those restrictions. The answer seems to be sufficiently obvious and satisfactory. The proposition which asserts the superior advantages of a free trade among all nations, rests upon the following principle. The universal freedom of action which it allows, tends most thoroughly to develop the moral and physical energies of each nation, and to apply them to those objects to which they are best adapted. The proposition must be equally true in relation to each nation, whatever may be the policy adopted by others. The nation which resorts to a restrictive policy, legislates to her own disadvantage by interfering with the natural and most profitable employment of capital. To the extent to which she thus excludes another nation from an accustomed or from a desirable market, she occasions, it is true, in that nation also a displacement of capital from its natural channels. But can the remedy consist in a retaliatory system of legislation? in a system of further restrictions imposed by the latter nation? If it be true that a restrictive system is injurious to the nation imposing it, does it cease to be so in regard to the latter nation, because of the wrong done by the former, and because it is also injurious to such nation? When we apply these views to the Corn Laws of Great Britain, considered with reference to their effect upon us, is it not then obvious that a system or pretended relation, which infetters the productive energies of our own people, whatever may be its effect upon that nation, must necessarily increase the evils we ourselves are destined to sustain?

It is strongly urged, as a motive to the continuance of the existing tariff, that its operation had been to effect a reduction of prices. These have, in fact, fallen since 1816, and our opponents contend that this has been the result of domestic competition. A moment's reflection will demonstrate the fallacy of this assertion. We present a single fact in the outset. The diminution of price

has been *general*, as well in relation to articles which are *not* protected by the existing tariff of duties, as to those which are. It cannot therefore, have arisen from this cause. Let us remember now that this diminution of price has occurred every where—abroad as well as at home—and not only in an equal, but, as a necessary consequence of the tariff, in a greater degree there than here. Among the causes which have produced this result, two prominent ones are presented to your consideration—the diminished amount of the circulating medium of the world, and the astonishing improvements which have been introduced in the modes of production. The cost of production is less; the comparative value of money has become greater. Can we wonder at the result? Take the case of cotton goods—these have fallen in price here since the enactment of the tariff. But the same thing is true not only in an equal, but in a greater degree abroad; and the reason is obvious. The causes which have produced this result—those which have been before stated—have elsewhere been left to exert their full influence in affecting the reduction of price. Here their operation has been restrained by the conflicting influence of the tariff. The reduction therefore with us has necessarily stopped at a point, which is ascertained by adding the amount of duty to the price of the imported article. Thus the diminution of price here has not been produced by the tariff, but in despite of it—and has been retarded by it. But for this law the imported, which would take the place of the domestic article in the consumption of the country, would be obtained at a price greatly below that which we actually pay, and the difference, amounting yearly to many millions of dollars, would be saved to the community. It cannot be doubted, that the prices of all commodities, the domestic production of which is forced by the imposition of a duty on a foreign article of similar description, are raised by the amount of duty necessary to effect the exclusion of the foreign article, or that this increase of price is paid by the consumer, and that the loss to the nation which is occasioned by this system of protection, is nearly equal to such difference of price.

The success which has attended the manufacture of cottons, is used to illustrate and enforce another suggestion in favor of the tariff. It is said, that by means of the protection afforded by government, manufacturers are enabled to overcome the difficulties incident to new enterprises, and that this protection is ultimately repaid to the community, in the reduced price at which the article is furnished. We have already shown that this reduction in price in the case referred to, has not resulted from the protective system. Let us look, however, at this suggestion, apart from that consideration. If it be conceded for the purpose of argument, and only for that purpose, that a manufacture might be established by a temporary encouragement from government, which would not otherwise, at least at that time, come into successful operation, and that the community might ultimately be repaid in the manner which is supposed, the following considerations seem decisively to repel the force of that suggestion. The idea of permanent protection is excluded by the nature of the proposition. That which is proposed is temporary merely, and the question whether it is to be ultimately repaid to the community, is of course made to depend on the successful operation of the protected establishment. It is Congress who are to determine in advance, upon the propriety of putting at hazard the interests of the community, by the forced establishment of proposed manufacture. The question to be determined depends upon the calculation of the probabilities, to the correct estimate of which, much practical information is obviously indispensable. Constituted as that body is, it is difficult to conceive of one less fitted for such reference. On the other hand, there is always enough of individual enterprise, intelligence and capital, to test any experiment which gives a fair promise of ultimate remuneration, notwithstanding it may be subject to temporary



loss. Left to individual enterprise, the question would be decided by those who have every motive, and every means, to come to a just conclusion—while the proposed suggestion would throw upon congress those visionary projectors, who having failed to obtain the support of discreet and intelligent capitalists, would play the sure game of securing profit, if, by the rarest accident, profit should arise, and of throwing the loss upon the community, if loss should ensue.

It is said that a dependence upon other nations, for those manufactures which are essential to our wants, is inconsistent with our character as a nation; and in this view that the tariff is essential to national independence. To us the term seems to be strangely misapplied. It is agreed that a system of free trade among all the nations of the world, by securing the application of the highest energies of each, to those objects which it was best qualified to produce, would enlarge the amount of production, and increase the sum of human comfort. But such a state of things would, according to the argument which is urged, be a state of universal dependence; and precisely the same consequence would follow in relation to the commercial intercourse of any given nation with the other nations of the world, to the extent of that intercourse, whether a system of free trade or of partial restrictions should prevail. That intercourse consists in the mutual interchange of commodities, and it is impossible to conceive the idea of a dependence on the one side, without recognizing the fact of a corresponding dependence on the other. But such a state of mutual dependence is a source of gratulation rather than of regret, since it gives to each nation an increased facility for the development of its highest energies, enlarges the sum of its enjoyments, and affords the surest guarantee for the peace and harmony of the world.

If the suggestion be urged in its application to the necessities of our country during a state of war, an equally satisfactory answer may be given. It is unquestionably the duty of every government to be prepared for those conflicts with other nations, which it is not always possible to avoid: but this is most effectually done by the unrestricted exertion of its peaceful energies. In a government constituted as ours is, and separated as it is by the Atlantic from the nations of the old world, it is reasonable to presume that such conflicts will be rare. The intervals of peace will probably be of much the longest duration, and our system of permanent policy should therefore be regulated chiefly with a view to this state of our national existence. But the decisive answer to this suggestion is, that money constitutes the sinews of war, and that its exigencies are best provided for by enriching the nation in time of peace. A system of free trade will mainly conduce to this object. The resources which it will furnish will second the services of the neutral trader, and these with our own internal manufactures, which are already independent of Legislative protection, will amply supply our wants in such an emergency.

It is one and not the least of the evils of the system which we deprecate, that it has a tendency to demoralize our citizens, to habituate them to evasions of the laws, and to encourage the odious and detestable practice of smuggling. It is the effect of the protecting duty to raise the price of commodities considerably above that, at which they could be imported at a moderate revenue duty. Unless this is so, it fails to accomplish its destined object, and is entirely useless. The inevitable consequence is, the temptation to clandestine importation, and the facilities which are afforded by our widely extended inland and ocean frontier, give impunity to the smuggler.

On the several interests of agriculture, navigation, commerce, the mechanic arts, and even on manufactures themselves, this system operates with an injurious influence. Speaking with reference to that portion of agriculture, which is employed in the production of ar-

ticles which must be exported to a foreign market, it is obvious that any considerable diminution of the commercial capital, by its transfer to other employments, must have a tendency to diminish their price. It is in the southern portion of the union that this will be most extensively felt. The domestic market will consume a portion of its great staple, which is, comparatively small, and the immense residuum will seek in vain for a foreign market, if the manufactures of other nations are in effect, and permanently excluded from our ports. This state of things may not at once occur.

The necessity of having a supply of the raw material for the employment of her manufactures, may induce our great customer to submit, for a time, to a system of purchase instead of exchange; but she will be urged by the strongest considerations to seek that supply from those who will receive her manufactures in return. If this system be rendered permanent, and pushed to the prohibitory extent, to which it seems inevitably to tend, the fate of the cotton planter is therefore, irrevocably sealed. Nor is he alone affected by this system of protection. The farmer of the middle states will feel its influence in the increase of the price of labor, as well as of every article which he buys; and if those in the manufacturing districts should find an improved market for the produce of their farms, the considerations just stated will operate to diminish their profits—and the benefits which they enjoy, from the increased investment of capital in their vicinity, will be purchased at the expense of those interests from which that capital has been transferred.

When we direct our attention to the influence of the protecting system on the navigation of the country, we might give to the subject a peculiar interest, by dwelling on the fact, that a ship is the proudest and most successful of our manufactures. From an early period of our history down to the present hour, we have been conspicuous for our skill in ship building. Adverting to it as an art, we have by the elegance of our models, and the minuteness of our finish, raised it from a mechanical, to one of the fine arts. We have applied the principles of a correct taste to naval architecture, and have, therefore, produced the same masterly result in this, as the application of the same principles had produced in the other arts. We might then with perfect fairness and propriety, press the inconsistency of that policy, which seeks the prosperity of manufacturers, by loading with burthens that branch of them which has flourished with but little aid, and is necessarily subject to the exclusion from the jealousy of foreign nations. We might connect this topic with our navy, and our naval glory, and thus enlist in our behalf the sensibilities of patriotism. But we waive these advantages, and without entering into details, content ourselves with adverting to the positive discouragements to ship building, occasioned by the tariff of 1828. By that tariff, iron, hemp, duck and cordage, are subjected to duties which would be in effect prohibitory, if these articles were not of the first necessity, and their importation indispensable. The quantity of these articles which enter into the construction of a ship, with the labor bestowed on them, constitute one half of its value, and the duties upon them impose upon a new ship of five hundred tons a dry direct tax little short of two thousand dollars, which is paid in advance. We say a *dry*, direct tax, for it is not, as in cases of consumable article, repaid by the consumer. Neither is it repaid by the freighter, for the rate of freight depends on foreign competition, and the foreign ship, cheap, because unburthened, settles the price.

The effects of the protecting system upon commerce in general, can only be satisfactorily illustrated by details. It is an important task, and will be faithfully performed by those to whom it is confided. The diminution of imports—a total or partial scarcity of some articles—an increase of price to the consumer, a depression of the mercantile spirit which, under different circumstances, would be animated to a new enterprise, and the

consequent check to our attainment of that height of prosperity, to which the freedom of our institutions guides us, these are results which cannot be denied. That actual misery is not felt in a young and free country, where almost every citizen is or easily can be, a proprietor, is not an argument to deter us from the removal of those obstructions to that assured and unexampled ease and comfort of condition, to which the American citizen aspires and is entitled. If to the easy acquisition of good cheap land, he can likewise add, not only the necessities, but also the blameless luxuries of life, why should he be churlishly prevented by a sordid and monopolising system, which finds enjoyment in restriction, and profusion in prohibition?

Every class of manufactures which is not the object of the bounty of this system, as well as the mechanic arts generally, are injuriously affected by its operation—Nay, even those manufacturers, who experience this protection, are themselves interested in the removal of these restrictions—The enormity of the profits, in many instances, combined with the uncertainty of the continuance of the system, give to this employment the character of a gambling speculation, rather than that of a regular pursuit of industry. The high rate of profits would occasion a rush of capital from other pursuits, and competition would speedily reduce them to the general level, if the precarious tenure by which they are held did not restrain the movement. Such of them as are adapted to the circumstances of the country, and conducted with the requisite skill and industry would continue to flourish, although legislative protection were withdrawn. They would still give a fair return for the capital and labour which they employ. The rate of profits would indeed be less, but they would be certain, or liable only to those changes which are common to the whole productive industry of the country. It is with this view of the subject, that the best informed and most intelligent among the manufacturers themselves, cannot resist the conviction that the abandonment of the protecting system, and a return to moderate duties, would be best calculated to promote the steady growth, and the safe and permanent establishment of American manufactures.

There is a remaining suggestion which we desire to present to your consideration—The national debt, which has annually absorbed from ten to twelve millions of revenue, is rapidly diminishing, and will speedily be extinguished. On the first day of January, 1833, the available funds of the government will be adequate to its discharge. The existing tariff of duties will produce thereafter an immense annual revenue, beyond the ordinary wants of the government, and the task of providing a system of measures which shall be adapted to this new and interesting condition of the fiscal concerns of the nation, will then devolve upon the next Congress. How propitious the moment for the establishment of the principles of free trade. An enterprising and intelligent people, possessing in abundance the resources of national wealth, and perfectly unencumbered by debt, may add to their claims upon the gratitude of the world, for having successfully asserted the principles of *free government*, by being the first also to proclaim the principles of a free and *unrestricted commerce*—that genuine "*American System*," which will remove from our borders every vestige of discontent, will give more value to the freedom, which was wrested from the grasp of oppression by the valor of our ancestors, and perpetuate those institutions which are destined, by the blessing of God, to secure the happiness of unborn millions.

From the Germantown Telegraph.

#### DIVISION OF THE COUNTY.

Mr. Editor,—In my last communication, I promised to lay before the citizens of the county, a few facts in relation to the subject of dividing the county. Before I proceed, however, I will again observe, that I think it

the height of imprudence for the county to agitate the subject, and feel firmly convinced that when the real state of the case becomes generally known in the city, and that the citizens of Philadelphia discover, as they unquestionably will, that the talked of division will be greatly to their advantage, they will be for lopping us off, and may perhaps succeed to the great disadvantage of the county. In which case let the blame rest on the heads of those who have started this question. Bringing the subject before them, most necessarily lead to enquiry, and they will soon discover that an immense amount of the taxes paid by them, are annually distributed throughout the county; and that we are in fact a great burthen to them. It will then be seen who are the advocates of the division; who understand their own interests, and who do not.

It is proposed by those in favor of division, that the new county be composed of the following townships: Germantown, Roxborough, Bristol, Oxford, Lower-Dublin, Hyberry, Moreland, that part of Penn Township, north-west of Turner's Lane, and a part of the Northern Liberties. I have now before me the report of the County Commissioners for the year 1830, in which is detailed the amount of taxes assessed in each of the above townships. The whole amount assessed in the city and county, being \$172,572 78. The townships above named are assessed as follows, viz:—

Germantown,	-	-	-	3350 32
Roxborough,	-	-	-	2257 06
Bristol,	-	-	-	1643 62
Oxford,	-	-	-	2306 58
Hyberry,	-	-	-	988 41
Moreland,	-	-	-	408 50
Lower-Dublin,	-	-	-	2234 22

The incorporated and the unincorporated parts of Penn township, are all in one item, in 1830, and I can find no way of correctly separating that part which will come in the proposed new county, but I find in 1831, that the two parts have been separated, and the unincorporated part is assessed at \$3621. 16. I believe that not half of this will come within the new county; but to be on the safe side, say half,

1810 57

As it regards the Northern Liberties, there is no way of ascertaining the amount of assessments in that part coming into the new county; I will therefore, leave out both sides in the question relative to it, in the calculation I am about to make; it will make but little difference one way or the other, and if examined into it, will be found that it receives much more than it pays, and will in fact make the matter worse.

\$14,999 29

Then, sir, we have the enormous sum of \$14,999 29—say \$15,000, for the gross amount of assessments; the commissioners for collecting, allowances for tax not collected, and the average expense of making assessments, is 10 per cent. on the amount of the assessments; 10 per cent. on the above, is \$1500—which taken from \$15,000, leaves \$13,500. This paltry sum, then, would be the whole amount of revenue, at an unusual *high rate* of taxation, (40 cents in the 100 dollars,) of this *great county*!—But, sir, this is not all. There is yet another item of great importance to come off this amount; it is an expense of which the county (notwithstanding all assertions to the contrary,) have always been receiving more than her proportion. I mean the expense of supporting public schools. But perhaps it is the intention of those in favor of the division, to economise in this matter, to save this expense, for it would seem to be on a piece with the rest of their policy, saving at the tap and letting out at the bung. If this is their intention, or if a division would produce this effect, and there were no other arguments against the measure, would not this alone be all-sufficient?—What, sir, when every one al-

most is crying out for Education—when every reflecting man, who loves his country and its institutions, knows that on a general diffusion of knowledge among all classes, depends the future happiness and prosperity of our country, and the purity of our republican institutions; and that education is one of the greatest blessings we can bestow on those unable to obtain it themselves, —and the want of it, the greatest evil. What! in this age of public improvement, instead of advancing in the good cause, shall we retrograde—shall we stop—never! Then at least, if we do not advance, let us remain as we are; how that is, I shall now endeavour to show. According to the 13th annual report of the controllers of the public schools for 1850-51, which I now have, it appears that the whole amount expended for public schools in the city and county for one year, is \$32,100, 75. The townships which are to comprise the proposed new county, received from this fund as follows:—

4th Section—That part of Penn Township not comprised in the Lancasterian system, received \$817 56.—This I am informed, is nearly all expended west of Turner's Lane, as most of the children east of it, are sent to the Lancasterian schools, of which there is a separate charge. I will, however, throw off \$200, and call the amount for that part of Penn Township which will come in the new county, 617 56.

5th Section—Comprising Oxford, L. Dublin, Byberry, and Moreland, received 1419 78

6th Section—Comprising Roxborough, Germantown, and Bristol, received 2549 02

Making together, \$4,586 36

One seventh of the whole amount expended for public schools for the city and county. There is another charge in the report before me, of \$962 38 for general expenses, salary of secretary, &c. &c.; one seventh of which ought in justice to be added to the amount, which will make the amount received by those townships which are to compose the new county, for public schools alone, \$1,723 84; more than one third the whole amount of tax they pay! and while we are paying little over one-twelfth to the county funds, we are receiving more than one-seventh from this. I have shown above, that the nett amount of revenue of the proposed new county, will be \$13,500, off which take the expense of public schools, \$4,723 84, leaves \$8,776 16, for the nett unappropriated revenue of this famous county! This ambitious child, anxious to quit the parental care and set up for himself, and as I before observed, at an *unusual high rate* of taxation, 40 cents in the \$100. This insignificant sum is to meet all the expenses of the county! It is really laughable! I sincerely believe the salary of the necessary officers, would swallow up the whole. For instance, county commissioners and clerks, auditors, a treasurer, (this office however would be almost useless,) coroner, solicitor, attorney-general, clerks, jailors, tipstaves, &c. &c. Then a long list of expenses for courts, prisons, jurors, stationary, fuel, elections, &c. &c. to say nothing of buildings, as to roads and bridges and all public improvements, they would be entirely out of the question; they must cease of course, unless indeed, we can learn the art of spending half a crown out of six pence a day, which to speak the truth, I never could. Yet in the face of all these plain facts, we are gravely told, there will be *economy* in the measure. (I perceive, Mr. Editor, that yourself, by pulling at somebody's Whig, have discovered this to be one of your *strongest reasons* for division. Between you and I and the post, I think that you are about half right—all the other reasons however, are *equally strong*.) Nay, I have heard it asserted, that our county tax would be reduced one half—20 cents in the \$100—it would then stand thus: the nett revenue at 40 cents in the \$100, is \$13,500—at 20 cents, or half, it would be \$6,750—from which take the school fund, \$4,723 84, which I contend ought not under any circumstances, to be reduced—and you have the enormous sum of \$2,026 16!

These, sir, are all plain incontrovertible facts, which any person may ascertain by an examination of the authorities I have quoted; and now sir, let me ask, what do they prove, evidently one of two things,—either that those who advocate the measure, are unacquainted with the subject, or else have some *concealed motive*; and this sir, is my reason for saying that I doubted their ostensible objects. But I shall tire you—I will close this, by requesting those interested in the subject, to bear in mind the simple fact, that the whole revenue of this talked of county, after paying for public schools, is \$8,776 16, because I intend to show in my next, that more than this sum, (observe the whole receipts of the proposed county) nay, *double the amount*, has been spent in little over one year, principally for the benefit and accommodation of Germantown alone, in two items, roads and bridges. A CITIZEN OF THE COUNTY.

#### CHEAP ANTHRACITE COOKING STOVES.

At a meeting of the Board of Managers of the "Fuel Savings Society of the City and Liberties of Philadelphia," held October 7th, 1831, the following Report and Resolutions were offered, which on consideration were unanimously adopted,—and on motion

Resolved, That the same be published in the newspapers of the city.

Extracted from the minutes,  
WM. ROBINSON, Secretary.

#### To the Board of Managers:—

The Committee appointed on the 5th ultimo, to consider the expediency of promoting the introduction of Anthracite Coal as a common fuel amongst the poor,

#### REPORT,

That they have given close attention to the interesting subject committed to their charge, and the result of their investigation has been a thorough conviction, that great advantage would result to the community in general, and to the labouring classes of our citizens, in particular, if the article of ANTHRACITE COAL could be adopted as a common fuel. The stock of this commodity now in the market, together with the additions daily arriving, will in all probability, furnish an ample supply, and entirely justify our society in exerting every means within its power, to encourage the use of this convenient, cheap and valuable article, as a permanent fuel, in the families of every "depositor" within its influence.

It becomes your committee, therefore, after saying thus much, to exhibit to the board the result of their investigation, as to the mode of applying this new article of fuel, to the best advantage, amongst a class of persons who are almost entirely unacquainted with its real value, or application to their comfort. Shortly after their appointment, a public advertisement was issued inviting the attention of "mechanics and others, interested in the manufacture of coal grates, &c." to the subject, and amongst a variety of inventions recently produced, a moveable apparatus, contrived by "Steinlaur and Kisterbock," and for which they have obtained a patent, has claimed our decided preference, being in our opinion, well calculated from its cheapness, and the peculiar simplicity of its construction, to answer all the purposes contemplated. It will with about one peck of small coal, at a cost not exceeding four cents per day, perform the various operations of warming the room, boiling (if required) a wash kettle of 10 or 13 gallons of water, and accomplish all the necessary baking, and other culinary purposes required in a family of 5 or 6 persons.—Its performance we have witnessed to our entire satisfaction.

The cost by the quantity, to the Society will be five dollars and fifty cents each, including the necessary pipe, pans, poker and other fixtures. A comparison between wood and coal fuel, may in our opinion, be safely stated thus. It is believed that few respectable



poor families, consume less than 2½ cords of wood within the six months embracing the colder season, the cost of which, at the present time, including expenses of carting, sawing, (twice) &c. would not be less than about, \$15

An ample supply for the same period, (say 2 tons,) of the "egg coal," being nearly 1½ pecks per day, would cost, not exceeding, 9

Leaving a balance in favor of coal fuel, \$6

Being a saving of more than the cost of the stove, and its appendages in one season.

Your Committee would therefore, propose the following resolutions, viz:—

"Resolved, That our "district receivers of deposits," be requested to recommend to all "depositors" whose funds in the possession of the Society, shall be sufficient to procure a stove, calculated to burn the "Anthracite Coal," and that they point out to them, not only the economy, and the accession of comfort to be derived to themselves and families, but the peculiar advantage of using an article of fuel, always plenty in the market, and of which a daily supply can be procured, at the cost of a few cents, without the risk either of extortion in price or imposition in measure.

Resolved, That this Board authorize the purchase from "Steinhauer and Kisterbock" of one hundred of the stoves above named, and that the "receivers of deposits" be instructed to deliver the same to "depositors" at \$5 50 cents each.

Respectfully submitted,

LINDZEY NICHOLSON,  
JOSEPH H. SCHREINER,  
THOMAS ROGERS.

### LANCE CAMPBELL.

#### OR, AN INCIDENT OF CHARTIERS.

We need scarcely mention to many of our readers, that the well told tale of *Lance Campbell*, is from the pen of our late townsman, Morgan Neville, Esq. now of Cincinnati. *Woodville*, the scene of this adventure, is now the property and residence of Mr. Christopher Cowan, and the story is, we are assured, founded on fact. "The worthy fellow, Johnny Taylor," has been dead for some years past: of *Lance Campbell* we have no knowledge: if he is still alive, and will call upon us, we will cheerfully present him with a paper, containing a record of his heroism.—*Pitts. Gaz.*

From the Cincinnati Chronicle.

The "modern Aristophanes," Foote, a man whose profound knowledge of mankind was only surpassed by the brilliancy of his wit, and the severity of his satire, makes one of his characters say, "circumstances make the man: change but their situations, and Cæsar would have been but the wrestler on the green." Dunscombe, in his parody on Gray's celebrated elegy, has equally truly expressed it:

"Full many a lark high towering to the sky,  
Unheard, unheeded, greets the approach of light;  
Full many a star unseen by mortal eye,  
With twinkling lustre glimmers thro' the night."

Few men pass through life without becoming acquainted with many illustrations of the truth of these observations. The complexion of the times gave room for the development of the talents of Cromwell, after he had passed unobserved through half his life. The American war opened a way for a Wayne and a Morgan, in the path of military glory; and but for the French revolution, the most remarkable man recorded in history might have passed through life a subaltern of engineers. A few years since, an act of bold intrepidity and self-devotion made me acquainted with an illiterate and indigent laborer, for whose character I shall bear with

me to the grave, a most warm respect. Had providence cast his lot and circumstances more congenial to the nourishment of his natural endowments, he would not, as he now certainly will, go down to the grave, unknown beyond the precincts of the neighborhood in which he resides.

It was near the close of the month of February, in the year 1818, that I had stirred up my fire, in the old parlour of my paternal mansion of Woodville, near Pittsburgh, and drawn my arm chair near a window, to aid my naturally bad eyes in making out the pages of the *Cid*, in Firman Didot's provoking stereotype edition of Pierre Corneille. My four black boys were amusing themselves in the kitchen, as negroes delight to do, when the weather prevents them from following their avocations without. One was scraping a lively jig, dear to my infant recollection, whilst the others were paying it off with an exactness and relish that none can comprehend, but those who have seen those lively, pleasure-loving creatures engaged in their favourite amusement. It was the afternoon of a market day, a deep snow had fallen the day previous, which at night turned to a heavy rain, and which was fast raising Chartier's creek to a fearful height. This stream ran a hundred yards from my house, and in any other country than the west, would have been distinguished by the title of a river. The fording place was about 400 yards from the door, but, owing to a turn in the road, it was not in sight. A cry of distress, faintly borne on the breeze, reached the ears of the blacks, who, instantly quitting their frolic, rushed from the kitchen, exclaiming, as they passed my window, that somebody was drowning. I joined them, and a few minutes brought us to the spot.

A countryman, by the name of Roseburg, had been to market and was returning, driving the fore wheels of his wagon, from which the bed had been taken, for the purpose of packing bags and avoiding weight. When he came to the stream, he thought he might be able to reach the opposite shore, with his unloaded wheels, by swimming two horses with them. Those only can have an idea of the temerity of the act, who have witnessed one of our raging creeks at its height. It seems he had not calculated the velocity of the water, and before the horses reached the shore, they were washed down a considerable distance, and where their landing was opposed by a steep bank, forming one boundary of a cornfield. The confused animals, after a momentary effort to mount the bank, turned to the other shore, but, owing to exhaustion, or the misguided efforts of the driver, they soon sank with the wagon, and were carried rapidly down the middle of the creek. At this moment I arrived; the top of Roseburg's hat was visible, to point out, by its sudden motions, the dying struggles of the wearer. The head of the off horse now and then appeared above the surface, and the wheels were occasionally seen. My boys and myself were preparing ourselves for an attempt to save the unfortunate countryman, by throwing off our upper garments, as we ran along the bank, to get abreast of the group. We all swam well, and we were about making a cold plunge, when a tall figure on a small horse suddenly emerged from a thick grove of ancient sycamores, on the opposite shore, and waving us back with his hands, plunged into the stream. The apparition had nothing on but his pantaloons and a tow shirt. The horse appeared to sympathise in the ardor of the rider: as soon as they reached the middle of the stream, the stranger, with admirable judgment, turned the head of his horse, so as to pass within touching distance of the hat of Roseburg. The noble animal swam beautifully; he seemed to spring out of the water at every stroke. The rider and the horse looked like one being; a centaur seemed to cleave the foaming flood before us. A few seconds brought the stranger up with the spot beneath which the wreck was floating. As his horse rushed past, he suddenly extended his

left arm, and plunged it beneath the hat. The chances were a thousand to one against Roseburg; his foot, as generally happens, might have been fast in the stirrup, the struggles of his drowning horses might have entangled his feet in the chains, or broken his leg against the tongue, none of these happened; Providence decided the solitary chance in his favor. The daring stranger seized him by the collar with the grasp of Hercules, and dragged him from his dreadful situation; the exertion, however, pulled the deliverer from his horse, and the next moment they both disappeared; but only for an instant. At the spot at which they now arrived, the stream turned abruptly to the left, at right angles with its previous course, and force of the current threw Roseburg and his saviour with much violence on some rocks which skirted the water. At this point several countrymen had assembled, and while we on our part were saving the wagon, they were resuscitating Roseburg, who was soon after completely restored. I called across the stream to ask the name of the man who had performed the bold act I had just witnessed. One of my neighbors replied, it was "Lance Campbell of Noblesburgh."

A few weeks after this, I happened to pass through this village, celebrated in the annals of the court of quarter sessions of Allegheny county, as the scene of nine-tenths of the assaults and batteries that come before the grand jury of the county. I stopped at the village inn, to have (*ut mos erat*) a little political chat with "mine host," Johnny Taylor, a worthy fellow in his time, who had entertained as many candidates for the legislature and shrievalty, as any publican in any bailiwick in the commonwealth. In the course of conversation, I asked him if he knew one "Lance Campbell."—"Lance Campbell!" replied mine host; "he is working for me at this time, and there he is now, in the yard." Looking through the window, I recognized the tall gaunt figure of the countryman, who had achieved an act which, at the time I witnessed it, I thought sufficient to "gild the name" of a peasant, and worthy of the Cid himself. He had ceased for a moment from his labor, and was improving the interval, by thrusting into his long jaws an enormous quid of tobacco. As I always valued myself on a certain amount of lavaterian science, I took advantage of the moment of inaction, whilst my subject was employed in changing the old for the new supply, to scan his lineaments; I found nothing, however, to justify the expectation of any act of benevolent daring from their possessor; his was a visage more fit for the pencil of a Rosa, with a back ground of rocks and woods, than for the artist who wished to give effect to the expression of mercy and kindness. Campbell had but one eye, of a slight grey color, his head was long, and covered with lank flax hair; his face was wrinkled, but not with the wrinkles of age. He might have passed for thirty, but he might have been forty-five years of age. He was called in, and over a mug of beer Campbell and I became acquainted. I found nothing remarkable about him, but good natured simplicity; I was forced to acknowledge that in his case, the rules of physiognomy could not apply. He could neither read nor write, but what astonished me most, was that he could not swim. "How could you venture in such a place, without being able to swim?" said I. "I depend on my *beast*," replied he, "and I could not bear to see Roseburg die without one pull to save him: I knew if he could catch him at the turn, we should go safe, if the horses did not plague me; it happened as I calculated." "Campbell," exclaimed I, "you have done a deed, a hero would have been proud of." "Nan!" repeated the countryman. "I mean," continued I, "you are a brave fellow, and I shall never forget you." We took a parting glass together, and as we shook hands, I could not help squeezing the rugged fist of the honest man.

From that time to the present, I have never seen or heard of Lance Campbell; if he has performed no bold

act since, it is because the opportunity has not been presented. The frowns of fortune have transferred the mansion of my birth, into the hands of a stranger, and removed me far from the spot dear to me from every association of juvenile recollection. But I shall make one visit, I hope, before the green sod is placed over my last home, to the scenes of my boyish gambols. I will yet stand for a few hours on the banks of the Charters, at that spot, where my old black nurse first taught me to throw in my thread line and pin hook, and will once more wander in that thick grove of sugar trees from which I have so often drawn the rich juice. And I will then ask if Lance Campbell yet lives: shall he have been called to his last account, I will seek his humble grave, and ask permission to plant one evergreen on the grave of an inoffensive and brave man.

N.

From the Memoirs of the Penn. Historical Society.

#### NARRATIVE OF

#### SIR WILLIAM KEITH'S ADMINISTRATION.

The following account of Sir William Keith's administration was found among the papers of the late James Hamilton, Esquire, Lieutenant Governor of the Province of Pennsylvania. I have been unable to discover its author, though I find, from the concluding paragraph, that it was written in England and in the year 1726. I may, however, observe, that the celebrated barrister Andrew Hamilton was at that time in England, and employed in the proprietary service; and, as it is evident that the paper was composed for the Penn family, it is possible that it may be his production.

As a contemporary narrative, it has considerable interest, and its value is increased by the fair and temperate manner in which it is written. It is indeed quite in accord with some of the accounts we have received of Governor Keith; but I think I may venture to assert, that his character and administration have received undue eulogy; and, it is now full time that the misrepresentations of Franklin's Review, which have been copied in every succeeding history or sketch, should be corrected. It will not perhaps be considered an unsuitable preface to this narrative, if I string together a few anecdotes and observations, which may be of some service to future annalists.

Sir William Keith, was of the family of Powburn, in the north of Scotland, and his grandfather was created a baronet of Nova Scotia in 1663. With his title he inherited no fortune. In the latter part of Queen Anne's reign he obtained the post of surveyor general of the customs for the American colonies, with a salary of £500 sterling; a reward perhaps for services to the high treasury then in power. On the accession of king George, he was displaced; and when he visited Philadelphia in 1715, he was so much in want, that we cannot but believe he had interested motives for the pains he took to conciliate the proprietary's friends. He was recommended by them to the family in England so strongly as a successor to Col. Gookin, and found means to gain such favour with the Penns, that he soon afterwards received his commission. The difficulties and expenses in obtaining the royal confirmation may have been occasioned by his political connexions.

When he left England, he professed himself the devoted servant of the proprietary; and Hannah Penn says, in a letter to James Logan, "He has also given me such assurance of his care and zeal in our affairs, as gives us room to hope you may safely consult with him for your own ease and our benefit in cases of property."

It is well known in what way these promises were fulfilled. From the proprietary he had already received his office. The assembly had in their grant what was of much more moment—his salary. I quote the words of Franklin: "With as particular an eye to his own

emolument, he did indeed make his first address to the assembly; but then all he said was in popular language. He did not so much as name *the proprietary*, and his hints were such as could not be misunderstood, that, in case they would pay him well, he would serve them well." However, for some time he kept terms with his constituents and his council—perhaps he could find no suitable grievance or occasion for a quarrel; and indeed it was difficult to discover any act of premeditated encroachment or oppression on the part of the proprietary government. A contemporary letter says, "the governor, soon after his first arrival, was advised that the best means to advance his interest with the people, would be to fall in with David Lloyd, and those who opposed the proprietary interests, so far as to make that step of passing laws with that assembly without any real concurrence of his council; but some others of his countrymen, in whom he also very much confided at that time, viz. William Trent, who was speaker of that assembly, and Andrew Hamilton, advising very earnestly against it, he seemed to fall in very cordially with the council, till such time as some late mobbish elections were set on foot; upon which in hopes of advancing his interest more affectually by countenancing these, he changed sides again, and now acts his present part."

As it is not my object to complete a biographical sketch of Governor Keith, I will not detail nor criticise the acts of his administration. They are to be found elsewhere. Those who will turn to the severe but admirable letter of Hannah Penn, addressed in 1724, to Sir William,\* will see how just were the causes of complaint which that excellent woman had against her deputy. This letter has been condemned, as containing both doctrines and precepts at variance with the charter of 1701—which does not confer on the council that authority and consideration which this letter as well as previous instructions to the lieutenant governor directed him to yield. But, I do not know how men of intellect could deny to the proprietaries the absolute right of instructing and controlling their deputy in the exercise of his legislative functions—or argue that they could not forbid him to act in affairs of moment without the consent of counsellors, amongst whom were men of the greatest honour, understanding, and experience of the colony. Without this check and control—the democracy of the assembly, with an unprincipled governor, would have possessed a power which Wm. Penn never would have conferred—a power destructive of all the proprietary interests in Pennsylvania.

Sir William, who, at the time of the receipt of this letter was losing his popularity among the colonists, and his influence in the legislature, determined to betray the private instructions of his constituents. He delivered the letter to the assembly, and, by the outcry and misinterpretations of his partisans, so inflamed the passions, and excited the prejudices of the populace, that he soon regained his former place in the affections of the ignorant and base.

His mean, sycophantic addresses to assembly deserve particular reprobation, and gained for him the hatred and contempt of many of the best men of the province.

Jeremiah Langhorne, one of the worthiest and most influential inhabitants, for many years speaker of assembly, and afterwards chief justice, in a letter, dated February, 1724, says, that the governor, having invited the house, with whom he was not at that time on very good terms, "to take a glass and pipe with him," made a long harangue to them, in which he challenged them to let him know, "whose petition he had refused—whose complaint he had not heard; and demanded of them, as justice and his right, to let him know wherein he had not discharged his duty to the public, that he might guard against any thing of the kind for the future; and if they had nothing to charge him with, to say so—for it would be very unjust for any man to deny a good servant that had served out his time faithfully, a certi-

cate, if demanded, in order to recommend him to another service."

"You'll plainly discover what is meant by all this. I think it means no more than to raise compassion in the populace, whom you know he has courted in the most abject manner; for I believe he is so far from thinking (if he is to be believed in any thing he says) that it is in the power of the proprietary's family to displace him, under the present posture of their affairs, that he thinks it impossible for them to remove him: And should any of that family come over as governor, (without the royal approbation,) I am of opinion he would not resign."

His treachery and his arts had so much success in exciting the animosity of the colonists against the proprietary government, that the true friends of the province and of the Penns were able only to utter an unheard and unavailing protest. In a letter to John Penn, James Logan observes: "Sir William Keith, in the latter years of his government, had so far succeeded in his ambitious designs of making himself wholly independent of the proprietor's family, that amongst the populace that family could scarcely be mentioned without a slight. That he was a gentleman of great natural abilities, and no less art, we were all fully sensible; and as he well knew how to lay hold of men by their weak sides, he had gained over to his interest the greater part of the whole country. Some few, who could see further, were proof against his baits, and particularly J. Langhorne, who, with some few of his friends, had interest enough in his county to carry the election there, and to furnish our assemblies with eight members yearly, who, with two or three more, as they could from time to time be found amongst those of other counties and be prevailed on, were such a clog of the governor's schemes, that he could not often carry them in that house. His interest and influence, however, gradually increased, and was at a great height, when happily Col. Gordon was sent over to supersede Sir William's commission."

"As this gentleman (Gordon) had no experience, no turn for government, nor any great abilities to engage with a person consummate in them all, (good judgment alone excepted,) and who had also the advantage of the populace, especially of Philadelphia, on his side; 'tis easy to imagine what vast labor and contrivance, and how exact a conduct it required to gain on so powerful an opposition. But, on the other hand, as he appeared a person of probity and sincerity, great honor, and good nature, and perfectly disposed to be advised by his friends, with these, and with the advantage of authority on his side, he, with the assiduous endeavours of those on whom he depended, gradually made his way into the esteem of those of judgment: but, during those two years nearly that Keith continued among us, our struggles were hard, and vast difficulties were to be overcome, and Sir William, even at his departure, left such a poison behind him, that after he was gone his adherents did all in their power to plunge us in a war with the Indians; a crime that ought never to be forgiven those persons in a public capacity, however civilly in other respects it may be proper to treat them."

For the conclusion of the career of Governor Keith, I cannot do better than use the words of a distinguished lady, who is better acquainted than any one with this period of our provincial history.

"In the spring of this year (1728) Sir William Keith left the province; his ambitious projects to secure himself in the government having totally failed him. Much is said in the letters of James Logan respecting his intriguing spirit and dishonourable behaviour, both in the latter years of his government, and during the time he stayed in Pennsylvania after the arrival of Col. Gordon, to whom he was so personally envious, that the old veteran proposed to him once at New Castle to take a boat and go over on the Jersey shore, where they would be on an equal footing. But this put a stop to Sir William's declamations against the proprietors."

\* See Register, vol. 5, page 268.



"After he found himself superseded, he trusted that his popularity, which he had most assiduously cultivated, would place him in a situation to benefit himself and irritate his enemies; and accordingly, with a view to the speaker's chair, got himself chosen a representative to the assembly from Philadelphia county; boasting that if he was to be no longer governor, the devil himself should not prevent him from being speaker. But in this he had to contend with a candidate equal in popular favor, David Lloyd, who numbered amongst his friends all those of the popular party who felt or desired to be thought to feel, gravity and seriousness. Whilst Sir William principally swayed the more free and less religious part of the community, his party being called *Keithians*, a name of reproach at that time in Pennsylvania, from the followers of George Keith, of apostate memory, being so designated. It was at the election of 1726, that Sir William was chosen; and on the day the assembly met, he rode into town with a cavalcade of eighty horse. Yet he was not so much as named as speaker, for every vote but three was given to David Lloyd, who then professed a reconciliation with James Logan, a just regard to the proprietor's family, and a great friendship for Col. Gordon, whom he believed, he said, to be a really honest man.

Sir William's friends found themselves thus in a helpless minority. What his schemes afterwards were cannot now be so well ascertained; but it is certain that persecuted by creditors, whom he had not the means of satisfying or silencing, he quitted the field of action.—An old letter now before me gives the following account of his departure; after stating the various rumors that he had been sent for to Europe, in order to receive a new commission for the government, &c. and that others "thought he had been made uneasy by some judgments against him, and a fresh demand on him from Europe for £500 sterling, which made him think fit to desert his bail; however this he, (continues the letter, which is dated March 30th, 1728,) this is the fact, that Sir William Keith, about twelve days since, went very privately down from hence (Philadelphia) in a boat to New Castle, attended only by his friend, Wm. Chancellor, and went with one small trunk only, on board Capt. Colvell's ship, then lying before that place, and bound for Europe, and that he staid in her two days so very privately, that not one in the place knew of it besides the collector, his son-in-law, and the parson George Ross; for that all the other inhabitants had the first news of his departure from this place after the ship had sailed."

Keith's conduct as a member of the legislature was so dishonourable and violent that he quickly lost the good opinion of his friends. He attempted to thwart every measure of his successor, and threatened to wrest the government from the proprietary family; but notwithstanding all his boasts and threats, as his views became understood, his power declined; and before he left America, he had drawn upon himself universal contempt and detestation. He attempted, indeed, to vindicate his conduct in a pamphlet printed in New York and Maryland; but this, says a contemporary letter, "served to expose his vanity and folly."

On his return to England, he found himself without reputation, influence, or money. He was perhaps induced by his distress to undertake a history of the different colonies, for which he was sufficiently qualified both in mind and by education. He began with Virginia, and though his production was quite respectable, he was not encouraged to proceed with his undertaking.

I have found but one later notice of him, and that alone is sufficient, among Americans, to render his name forever infamous. It was he who first suggested to the British ministry the idea of *taxing the colonies*. In Cox's *Memoirs of Sir Robert Walpole*, we find it particularly stated, that Sir William Keith, late governor of Pennsylvania, proposed this project to the great statesman

soon after the failure of his excise bill, to which Sir Robert indignantly replied, "I have Old England set against me, and do you think I will have New England likewise?" An answer worthy of that minister, who, some years before, on hearing of the discontent which Swift had excited in Ireland, on occasion of the patent granted to Wood, replied, "If, after all, the Irish should dislike the plan, I shall give it up, as I could never wish to oppose the general opinion of a country." But what shall we say of our *popular governor*?

After this statement, it seems almost unnecessary to add a character of Sir William Keith.

He was a man of good talents, respectable acquirements, and genteel address; but he was artful, avaricious, and without principle. His deportment towards the proprietaries was ungrateful and treacherous, and his private conduct (for an instance of which I may refer to Franklin's Biography) was unworthy of a gentleman.

If, under his government, many useful laws were passed, I know not why he should have the chief credit for them; and his popularity with the people was any thing but honourable, since it was the result of meanness and sycophancy. His talents were certainly far superior to those of his two contemptible predecessors, and his administration more respectable; but he will hardly compare with either of his successors in dignity, integrity, or in the faithful performance of the divided duty to the proprietors and the people. J. F. FISHER.

#### *Narrative of Sr W. Keith's coming to the Govt of Pennsylvania and his Conduct in it, &c.*

In ye year 1715, Sr Wm Keith, then Wm Keith, Esqr. being in America and out of all employ, and in his Travells happened to come to Pennsylvania, the gentlemen of the Council in that Province, who were the Proprietor's Friends, in compassion to his distressed circumstances, recommended him to ye said late Proprietor Penn, who was then in England.

Mr. Keith no sooner arriv'd in Britain, and presented himself with the recommendation aforesaid to ye late Proprietor Mr. Penn and his Friends, but a commission in ye usual form was granted to him, to be Deputy Governour of Pennsylvania, and the three Lower Countys of New Castle, Kent and Sussex on Delaware, and likewise advanc'd to ye sd Mr. Keith a considerable sum of money to Provide himself with necessities, in Order to his Transporting himself and family to Pennsylvania, where he arriv'd in May 1717.

At his coming into yt Government, he was kindly received by the People; and the Proprietor's Friends, Especially, us'd all their Interest to get him an honourable support, and Accordingly the first year his Support and Perquisites which he receiv'd from yt government, amounted to about £1600, together with a sum exceeding that, which belonged to his Majesty, and which remains unaccounted for in his hands at this day. And every year since except this last, the said Government has been worth at least £1800 Pennsylvania money to him.

Upon the death of the late Proprietor, Wm Penn, his son Wm Penn, in the year 1719, sent over a new commission to Sr Wm Keith to be Governour of the Province of Pennsylvania and the Countys aforesaid. But Sr Wm learning the late Proprietor had made a Will, and therein devised the government in Trust to be sold, &c. the sd Sr Wm, without any further information, or so much as taking any notice of the said commission, or acquainting any of the Proprietor's family, sent home a very unjust representation of the State of that Government, and thereupon by his Friend's, without the privity of any of the Proprietor's family, obtained a letter from Mr. Delafay, purporting that, by an Order of the then Lord Justices, ye said Sr Wm should continue to act upon his former appointment, untill his Majesty's or the Proprietor's Pleasure should be known.

Sr Wm upon the receipt of this letter, openly declar'd

himself to hold the government immediately to the crown. And altho' the said Sr William, in his Commission from ye said late Proprietor for being Gover of Pennsylvania, &c. is strictly prohibited to intermeddle with Lands or any other Affairs of Property whatsoever.

Yet, hearing of a Copper Mine in the Proprietor's Lands within the said Province, he went privately with a surveyor, and without any right attempted to Survey a Tract of Land, including the Place where the said Mine was suppos'd to be, in his own name, and to his own use, and set men to work on it.

And altho' he knew the soil of the said Province and Countys were then (and still are) vested in Trustees by the sd late Proprietor for the Payment of a part of a large Debt contracted in ye settling and improving the sd Province and Countys, which Trustees, with ye assent and approbation of the said late Proprietor Penn, appointed commissioners in Pennsylvania to dispose of Lands, and receive the Quit-Rents of that Country, for ye use of the sd Trustees towards Payment of the sd Debt and Interest:

Yet, ye sd Govr Keith, in order to Establish his Title to the sd Tract of Land and suppos'd Copper Mine, attempted to get a return of the said survey (tho' not finish'd) entered in the Council books, but the same being oppos'd by all the Members of the Council except two, as being a Breach of his Commission and Instructions, and against the known Laws and Constitution of the sd Province, he thereupon told them he wanted not their Concurrence, for he did not hold himself oblig'd to take their advice, but call'd them there as solemn Witnesses of his acts; and added further, he knew no Power in that Government to sell Lands, or manage the Affairs of Property Except himself, which has had a very fatal Effect upon the Proprietor's Affairs in ye Country ever since. Ye sd Sr Wm either removing all the Proprietor's Friends from any Place of Trust in that Government, or otherwise discountenancing them, so that they could not be of any service to his Affairs there, which was ill taken by the Generality of the People of that Province.

But in the year 172<sup>e</sup> in conjunction with the meanest and needy people of the Governmt who are always a Majority, set a Project on foot to get a paper Currency Established by an Act of Assembly, and to bring this to pass, in his Public Speeches he inveiyd much against those whom he called rich men as Persons having a design of enslaving the Poor honest Laborious part of mankind, and therefore they ought to be upon their guard, so that, by such management, he stirr'd up a great uneasiness in the Minds of the Common People thro' the whole Province, and it had the desired effect, for they chose an Assembly, that year, consisting generally of such as were very much indebted.

In the year 1722 the sd William with the said Assembly, passed an act for emitting the sum of £15,000 paper money to be lent on the security of the People's Lands in that Province. Great opposition was made to this act by the Majority of the Council, but the use he made of that was only to animate the Assembly and Common People still the more against the Council, who first proposed that the act should be sent home for his Majesty's Royall Approbation before it should take Effect.

2dly. That all sums of Money due or Payable to his Majesty should be excepted out of the act.

3dly. That all the Debts due to the Proprietor's and English merchants should be excepted.

But all was rejected.

In 1723 he again, together with the Assembly, made another act for emitting \$30,000 paper money, and immediately after he had passed the said Act he acquainted the Assembly of the necessity there was to raise money for an Agent in England to stand by those Acts and to prevent their being damned, and in order to prevail upon them to send a sum of Money to Mr. Beake, to solicit the getting the Royall Assent to these acts for a Paper Currency, he communicated to

the Assembly a Letter from the Board of Trade in Britain, which he had received long before that session of Assembly, advising him against making any paper money, and made a merit of obliging the Assembly, at the hazard of disoblising the Lords of trade, &c.

J. Logan, who has been Secretary of the Province of Pennsylvania, appointed by the late Proprietor himself about the year 1700, and chief Commissioner of Property for the said Proprietor and Trustees, came to England in the year 1723, and tho' he had been ill used by the said Sr William, for Endeavouring to support the Proprietor's rights instead of getting the said Sr William removed from the Government, he only procured a private letter of Instructions from Mrs. Penn to the said Governour, hoping the same might have a good effect upon him, in which instructions he was required to take the advice of his Council, (who were always supposed to be People of the best Condition in the Province, and friends to the said Proprietor,) in all matters of moment and in Legislation. It is true the Council by the Present Constitution, are no part of the Legislature, yet the Proprietor himself, when he was on the spot, did and his Deputy since have always been enjoin'd to take the Advice of the Council as Men of the best Abilities and interest in the Province, which they have for the most part observed.

His letter from Mrs. Penn was privately deliver'd to the Governour by the said J. Logan, but he, instead of keeping it secret, talked of it publicly as an invasion of the People's rights and Privileges, and he wrote a letter to Mrs. Penn, by Coll Spotswood, his great Friend, late Governour of Virginia, which came not to her hands till some time in December 1724, in which, with great Haughtiness and disregard he tells Mrs. Penn he cannot observe her instructions, because they are not only repugnant to the Constitution, but inconsistent and contradictory in themselves, and instead of waiting until he could have an answer from Mrs. Penn, he in a speech to the Assembly in January 1725<sup>e</sup> exposed the said private instructions to the Assembly and the letter he had wrote to Mrs. Penn, and made a merit of his having opposed the Proprietary Interest to save them, and secure to them the Privileges against such unjust attempts, and by all the ways and means in his power, both by Speeches and Messages, inflamed the Assembly to that Degree, that they passed a Vote that some part of the Widow Penn's Instructions were contradictory to, and an infringement of the Libertys and Privileges by Charter granted to the People of this Province.

He has continued ever since, notoriously to decry the right of the Proprietor's Family, and Expose the Commissioners of Property, and sending his Emissaries about to get Petitions in his Favor from the people, denys the Authority of Mr. Penn's Family, and is Endeavouring to deprive them of both the Governmt and Property of the 3 Lower Counties.

Coll Spotswood upon his arrival in England (Mrs. Penn being indispos'd) deliver'd Sr William's Letter to and afterwards at a Meeting with two of her Sons, insisted on Sr William's being continued in his Governmt, and he would undertake Sr William should have a due regard in their Instructions, but upon their declining to give him any Assurance of his continuance, he then told them that if they proceeded to remove Sr William from the Governmt of Pennsylvania, he had something in his power which he got at New York, that he would put in Execution much to our prejudice.

The whole Family received daily Accounts from Pennsylvania of the Governour's continuing to Act in direct opposition to their Interest, and to persecute some of the Commissrs of Property, did agree that Sprigett Penn, the Heir at Law, should with the consent and advice of the said Mrs. Penn, Commissionate Majnr Gordon, to be Deputy Governour of Pennsylvania, the Earl Powlet having declin'd acting, tho' requested by both

sides of the Family, until the Controversy about the Will of the late Proprietor be determined.

The said Major Gordon is accordingly commissioned by Springet Penn, and on Saturday last was presented by Petition to the King in Council for his Majesty's Royal approbation, in the same manner as it has been always granted, which was opposed by two Petitions, one from Col. Spotswood on behalf of Sr William, and another from Sr William's Creditors.

### GEORGE DENISON.

**OBITUARY.**—George Denison was the son of Col. Nathan Denison, of Kingston, in Luzerne county. Col. Denison emigrated from Connecticut at an early day, and settled in Wyoming Valley under the Susquehanna Company. Whilst the State of Connecticut claimed jurisdiction over this tract of country, the right of representation in her legislative councils was permitted to the settlers; and Col. Denison was repeatedly chosen by the people as their representative to the Connecticut legislature. He took an active part, in a civil capacity, in the controversy between Pennsylvania and Connecticut, in relation to the right of jurisdiction and the right of soil to this portion of Pennsylvania, until the dispute was decided at Trenton by Commissioners appointed for that purpose, when his opposition to the claims of Pennsylvania ceased.

During the Revolutionary war, a more decided whig, and a more devoted patriot, was not to be found, than Col. Denison. Wyoming was then a frontier settlement and was exposed to frequent incursions from the Indians and worse than savage Tories. Their mode of warfare was such as required the exercise of the utmost prudence, vigilance and courage on the part of the settlers; and in selecting a leader, their choice naturally fell on Col. Denison, as possessing in an eminent degree the qualifications necessary for the station. The coolness and intrepidity with which he met the enemy in ambush, at the celebrated battle of Wyoming—the aid which he afforded to his men in his almost miraculous retreat—the firmness with which he demanded terms of Butler, the British commander, when driven with a handful of invalids into Fort Mifflin and reduced to the last extremity, and the terms actually obtained, evince the wisdom of the settlers in committing the defence of the Valley to Col. Denison.

After the revolution, and the extension of the laws of Pennsylvania over the disputed territory, Col. Denison was placed in commission as a magistrate, and was one of the Associate Judges of the county of Luzerne at the time of his death. The early history of the Valley of Wyoming is identified with the life of Col. Denison. He was remarkable for coolness and intrepidity in danger—for sound sense, prudence and discretion in action, and for strict integrity towards his fellow men.

George Denison, the subject of this notice, was born in Kingston, in Luzerne county, on the 22d day of February, 1790, at a time when the country had not recovered from the disasters of the revolution, and when it was suffering from the effects of the long protracted Connecticut controversy. At such a period, and under such circumstances, it could scarcely be expected that very ample provision should be made for the education of the youth of the country. The advantages of young Denison in this respect were limited indeed; but limited as they were, they were improved, and the foundation of an English education was early laid, upon which he afterwards raised a superstructure by which he acquired a distinguished eminence at the bar, and which was abundantly adequate to the elevated stations to which he was called by his fellow citizens.

Naturally predisposed to pulmonary affections, it was thought by his friends that the active and varied pursuits of the country merchant were well calculated to ward off the disease with which he was menaced, and to ensure him length of days and comfortable health.

Accordingly, at an early age, he took charge of a store for the late Judge Hollenback; and although he soon discovered that it was not the sphere in which nature destined him to move, he gave the most perfect satisfaction to his employer. Anxious to gratify his friends, at whose solicitation he had engaged in the mercantile profession, he continued in the business until his enlarged and expanding intellect regarded it as too narrow and contracted for the employment of a liberal and enlightened mind. He therefore resolved to abandon a profession for which he believed he was not by nature intended, and which afforded him no intellectual enjoyments, and to fit himself for the study of one of the learned professions. The death of his revered father about this period, at whose more particular instance he had engaged in the mercantile profession, left him at liberty to pursue the natural bent of his inclinations. He therefore hastened to place himself at the Wilkes-Barre Academy, then under the care of an able and efficient principal. Here he made rapid progress in the languages, mathematics and all the various branches of an English education; and it is confidently affirmed that very few who have received the honours of our colleges, excelled Mr. Denison in extent and accuracy of knowledge in all the various kindred sciences fitting and necessary for a professional life. When he deemed himself prepared to enter upon the study of a profession, he entered himself as a student of law, to which he applied himself with the utmost assiduity and attention. He never committed to memory, although no one possessed a memory more tenacious. He despised parroting his recitations, as is too common with students of the profession. He read, he reflected, he understood. The principles of the law and the reasons upon which they are founded, were stated by him in his own language, always perspicuous and definite, and which evinced his attention in reading and his depth and accuracy of thought.

After the usual period of study he was admitted to practice in the Courts of Luzerne county; previously to which, and whilst still a minor, he had officiated as deputy of his brother, Col. Lazarus Denison, the Register and Recorder of the county. To these offices he was himself appointed by the late Gov. Snyder, immediately upon his arrival at the age of twenty-one. A more faithful, a more accurate, and a more able public officer never had charge of the records of the county. The records themselves, and all who transacted business in the offices whilst Mr. Denison held them, will amply sustain this feeble tribute of approbation. This situation in the public offices was peculiarly favourable to the acquisition of a knowledge of the practice of the Courts, and it was fully improved by Mr. Denison for that purpose. His conduct as a public officer, and the ability which he displayed in his professional business, soon attracted public notice, and secured to him the public confidence. In opposition to his own wishes and inclination, he was selected by his fellow citizens as their representative in the Legislature of Pennsylvania. To this situation he was repeatedly re-elected by the people with unusual unanimity. His talents developed in his legislative career, pointed him out as a fit person to represent his district in the Congress of the United States, and he was accordingly elected for two successive terms by the people as their representative. At the expiration of his second term of service, he had determined to retire from public life and devote his time exclusively to his practice, which had suffered in consequence of his absence, during several protracted sessions at the seat of the general government. But the people of his district had become alive to the subject of internal improvement, and would not permit him long to remain in his favorite retirement. He reluctantly yielded to their entreaties, and was again elected a member of the legislature of Pennsylvania, in which situation he was continued by the almost unanimous voice of his district until his decease.



As a *lawyer*, in the various and complicated business of his profession, he was distinguished for accuracy in legal learning, clearness of perception, acuteness in discrimination, soundness of judgment, a tact, peculiar to himself, in the arrangement of the facts, and the management of a cause before the court and jury. The courts in which he practised, and his fellow members of the bar, will bear testimony to the high sense of honor with which he conducted the business of his profession.

As a *member of the Legislature of Pennsylvania*, the will and wishes of his constituents were ably represented. Numerous local acts were passed through his influence, of great interest to the district he represented, and many general laws were projected by him, and received the sanction of the legislature, which bear the impress of his liberal and enlightened views, and sound and discriminating judgment. The system of internal improvement in Pennsylvania, although much more extensive than his judgment approved, received his decided and efficient support; and the introduction of the N. B. canal into the system, and its location and extension through the Valley, will remain an everlasting monument of his legislative skill and commanding influence.

As a *member of Congress* he was always found on the side of liberal and enlightened measures. Here, as in the State legislature, he never spoke unless he had something of importance to communicate, and when he did speak he was listened to with the most respectful attention. His speech upon the "Missouri question," will be found to contain in a condensed form, every fact and argument which could fairly be brought to bear upon the subject against the offensive provision in the Missouri constitution.

As a man, he was scrupulously exact in the performance of his duties in all the relations of life. In short, it may be said, that no man in Luzerne county, ever lived more respected and died more regretted, than GEORGE DENISON.—*Susq. Demo.*

### RAIL-ROAD MEETING.

At a meeting of a number of the citizens of Adams county, held at the Court-house, in the borough of Gettysburg, on Saturday 15th ult. to take into consideration the propriety of petitioning the next Legislature to grant an act incorporating a company, to construct a Rail Road from Gettysburg to the Maryland line at the head waters of the Monocacy—Geo. SMYSER, Esq. was called to the Chair, and Z. HERBERT appointed Secretary.—The object of the meeting being explained by James Dobbin, Esq. the following committee, on motion of T. Stevens, Esq. was appointed to make a report of a survey made a few days previous, by a number of citizens, viz: Samuel Sloan, Thaddeus Stevens, William S. Cobean, Robert Smith, John Garvin, Esqrs.—who presented the following:

*The Committee appointed to furnish information to the meeting,*

#### REPORT:

That we ran the route, from the head of Monocacy on the east side of Rock creek, to the mouth of Buck run, where we recrossed said creek, and thence up said run to its source, and to the summit, on Samuel Sloan's farm and from thence to Gettysburg. We found the distance from Monocacy to the summit to be 2479 perches: 1650 of which, to wit, from the foot of McKinney's meadow to the summit; is an inclined plane, on which, in the whole distance, there need not be a foot of rise lost, but a continual ascent kept, (probably, with moderate digging in two or three places, a continued rise might be kept up from Monocacy the whole distance;) that the ground is remarkably even except in three places; the first, a bluff of red rock below Allison's of perhaps 50 perches, but not high; the second a space of small rocks below Mich'l Miller's of about eighty or

ninety perches—and the other a space of rocks on land of Jacob Sherfigh of eighty perches, some of which may be three feet high—from whence to the summit is almost as smooth as a meadow. From the summit to the intersection of Middle and West Streets is 380 perches, in which there is but twenty-four feet fall, (about twenty feet to the mile, and may be kept at a continual descent the whole distance with very little digging, as the ground is very level. We have also ascertained, principally from actually levelling, that the summit is 175 feet higher than the head of Monocacy, which is 2479 perches: therefore, if the same grade could be kept, the rise would be about twenty-two feet to the mile. The whole distance we found to be eight miles and 299 perches, (which is one mile and 93 perches more than a direct line)—which, from the goodness of the ground, need not be increased much in locating the road. Upon the whole, we think it perfectly practicable, at a reasonable expense; and the best route we have ever seen for that purpose; and recommend to the meeting to take immediate measures for obtaining a charter.

After the above report was read, the following resolutions, offered by T. Stevens, Esq. were adopted—

*Resolved*, That it is expedient for the citizens of Adams county, to petition the next Legislature, to incorporate a Company to make a Rail Road from Maryland line to Gettysburg, to intersect the Rail Road now making from Baltimore to the head waters of the Monocacy.

*Resolved*, That a committee of twelve be appointed to procure signatures to said petition.

T. Stevens, J. B. McPherson, S. Sloan, T. J. Cooper, J. Garvin, Z. Herbert, E. Blythe, D. Middlecauf, J. McSherry, T. McKnight, J. Hersh, and D. Stewart, were appointed to carry the above into effect.

*Resolved*, That a committee of three be appointed to attend at Harrisburg, and see that said petition be presented and properly explained.

Thaddeus Stevens, James McSherry, Esqrs. and Gen. Thomas C. Miller, were appointed said committee.

*Resolved*, That the above proceedings be signed by the Chairman and Secretary, and published in all the papers of the borough.

GEORGE SMYSER, Chairman.

Z. HERBERT, Secretary.

From the Philadelphia Gazette.

### PROCEEDINGS OF COUNCILS.

Friday, Oct. 14, 1831.

The SELECT COUNCIL was organised this morning by the election of JOHN M. SCOTT, Esq. as President.

Mr. ARCHIBALD RANDALL as Clerk.

Mrs. LIDIA R. BAILEY, as Printer.

Mr. HENRY YOUNG, as Messenger.

The president appointed Messrs. DUANE, HORN, TOLAND and Fox as members of the Watering Committee. Mr. HORN offered the following resolutions, which were adopted by both Councils.

Resolved by the Select and Common Councils, that the Rules of intercourse between the late Councils, be adopted by the present Councils.

Resolved by the Select and Common Councils, that they will meet in the chambers of the Common Council, on Tuesday next, the 18th inst. at eleven o'clock, A. M. to choose a Mayor of the city of Philadelphia.

The COMMON COUNCIL was organised by the election of JAMES PAGE, Esq. as President.

Mr. GEORGE FOX, as Clerk.

Mr. HENRY YOUNG, as Messenger.

The President appointed Messrs. CONVELL, MOSS, WETHERILL and LEIPER, as members of the Watering Committee, on the part of the Common Council.

The resolution for the appointment of a Printer for the Common Council was postponed for the present.

OFFICIAL ELECTION RETURNS  
FOR  
PHILADELPHIA COUNTY.  
ASSEMBLY, &c.

CANDIDATES.	Southwark.....	Moyamensing ..	Kingsessing....	Blockley.....	Northern Liber- ties.....	N. Liberties....	Unincorporated	Kensington.....	Spring Garden..	Penn Township	Roxborough....	Germanstown..	Bristol.....	Oxford.....	Buistleton.....	Passunk.....	Total.....
James Goodman,	1380	255	47	72	1088	35	372	553	36	63	127	66	111	137	102	4444	
Daniel K. Miller,	1384	258	47	72	1135	35	377	563	41	65	127	67	105	136	102	4514	
Richard Peltz,	1375	250	49	72	1135	35	379	557	38	65	87	67	109	137	101	4456	
Thos. J. Heston,	1384	257	48	72	1146	35	379	566	40	49	120	66	108	137	102	4509	
Franklin Vansant,	1384	257	47	72	1139	35	380	562	42	65	126	65	112	134	102	4522	
John Felton,	1382	259	47	72	1134	33	379	561	36	65	81	66	110	137	102	4464	
William Hinckle,	1735	317	9	158	1714	59	743	915	57	66	188	74	132	172	93	7464	
Jacob Collar,	1384	259	46	72	1119	35	379	557	40	64	122	67	102	134	102	4482	
John Thomson,	514	110	13	118	1251	25	456	478	36	36	192	30	98	137	44	3538	
George Rhen,	158	56	3	29	662		36	107	2	34	82	22	55	98		1344	
Thomas McCully,	162	55	3	28	624		33	106	2	34	78	22	56	96		1299	
Samuel Whitton,	512	109	12	118	1236	25	456	438	33	36	151	30	139	134	47	3474	
Peter Buddy,	513	109	13	117	1233	24	455	437	31	35	147	31	99	132	47	3423	
R. M. Nixon,	158	54	3	29	637		36	107	17	34	83	22	56	93		1359	
Thomas Davis,	512	65	51	123	1236	23	456	439	32	35	151	31	99	132	47	3431	
Samuel Bender,	159	56	3	30	626	1	86	106	2	34	83	20	56	95		1357	
William Binder,	358	52	10	89	617	23	420	373	34	1	111	8	43	55	47	2221	
Jacob Thomas,	354	115	10	89	603	24	419	366	30	1	68	8	42	55	47	2211	
David Snyder,	355	64	10	88	578	24	410	353	31	1	68	8	42	55	47	2114	
County Commissioner.																	
John Thompson,	1365	297	50	67	976	14	426	511	45	84	140	71	86	147	109	4590	
David Paul,	531	98	12	114	1531	46	359	502	10	25	139	25	134	119	39	3464	
Auditor.																	
James McElroy,	1386	275	33	63	1095	14	361	562	20	58	125	65	92	129	100	4573	
James Hanna,	373	28	27	91	656	41	370	575	39	5	67	7	53	30	48	2210	
Benj. P. Binns.	141	46	3	32	589		14	101	1	33	81	18	38	89		1186	
*John J. McCahen,	1381	276	33	60	1099	14	366	555	19	58	125	65	86	128	100	4365	
*Thomas Morrell,		5	17	1	5	1	2	4	2				18			55	
*George Peters,	510	92	13	121	1241	40	379	477	53	35	145	25	79	118	48	3376	

\* In the room of S. Coates, deceased.

COMMISSIONERS,  
NORTHERN LIBERTIES.

The following Table exhibits the number of Votes given in each Ward of the Northern Liberties, for Commissioners of the District.

CANDIDATES.	First Ward.	Second Ward.	Third Ward.	Fourth Ward.	Fifth Ward.	Sixth Ward.	Seventh Ward.	Totals.
John Naglee,	162	91	183	158	239	185	160	1178
Augustine Stevenson,	182	105	187	163	248	195	164	1244
Jonathan Townsend,	150	93	178	151	238	184	160	1154
William Wagner,	168	109	194	201	251	199	162	1284
David Dillinger,	163	91	174	146	235	185	159	1155
John Rheiner, Jun.	153	91	175	144	239	186	158	1146
Daniel Jeffras,	157	90	175	151	240	187	159	1159
Charles Elliot, one year,	158	94	178	154	241	186	161	1172
Jacob Culp,	126	127	220	123	241	224	115	1176
William Randolph,	137	137	229	162	240	233	114	1252
William Bruner,	137	136	232	160	241	233	115	1253
William Binder,	119	128	218	149	238	227	114	1193
William M. Kennedy,	127	133	222	148	236	232	113	1200
J. D. Goodwin,	108	121	205	138	229	221	112	1134
Philip Justice,	124	138	224	151	238	228	114	1217
M. Brown, one year,	128	132	223	146	236	227	110	1202

## CENSUS OF THE U. STATES.

The following Table has been formed by the union of two tables, lately published in the New York Observer, and another New York paper—both compiled from the aggregate returns of the Marshals\* of the U. S. by clerks in the State Department at Washington.

STATES.	1790.	1800.	1810.	1820.	free White Persons.*	free col'd Persons.	Slaves.	Total. 1830	Inc.†
Maine,	96,540	151,719	228,705	298,335	398,255	1,207		399,468	33,898
N. Hampshire,	141,899	183,762	214,360	244,161	268,910	623		269,533	10,591
Massachusetts,	373,717	423,245	472,040	523,287	603,008	7,006		610,014	16,575
R. Island,	69,110	69,122	77,031	83,059	93,631	3,565	14	97,210	17,157
Connecticut,	238,141	251,002	262,042	275,289	289,624	8,064	23	297,711	8,161
Vermont,	85,416	154,465	216,713	235,764	279,794	885		280,679	19,005
New York,	340,120	586,756	959,049	1,372,812	1,868,382	45,080	46	1,913,508	39,386
New Jersey,	184,139	211,949	245,555	277,575	300,226	18,307	2,246	320,779	15,563
Pennsylvania,	434,373	602,365	810,091	1,049,458	1,309,296	37,990	386	1,347,672	28,416
Delaware,	59,096	64,273	72,674	72,749	57,605	15,829	3,305	76,739	5,487
Maryland,	319,728	311,548	380,546	407,350	291,093	52,942	102,878	446,913	9,712
District of Columbia,		14,098	24,022	33,039	27,633	6,163	6,060	39,838	20,639
Virginia,	748,308	880,200	974,622	1,065,379	694,439	47,103	469,724	1,211,266	13,069
N. Carolina,	393,751	478,103	555,500	638,829	472,433	19,575	246,462	738,470	15,592
S. Carolina,	249,073	345,591	415,115	502,741	257,878	7,915	315,665	581,458	15,657
Georgia,	82,548	162,101	252,433	340,987	296,614	2,483	217,407	516,504	51,472
Kentucky,	73,077	220,555	406,511	564,317	518,678	4,816	165,350	688,844	22,056
Tennessee,	35,791	105,602	281,727	422,813	537,930	4,513	142,379	684,822	62,044
Ohio,		45,365	230,760	581,434	928,093	9,586		937,679	61,998
Indiana,		4,375	24,520	147,178	338,020	3,562		341,582	132087
Mississippi,		8,850	40,352	75,448	70,618	529	65,659	136,806	81,032
Illinois,			12,288	55,211	155,176	1,653	746	157,575	185403
Louisiana,			76,556	153,407	89,407	16,753	109,631	215,791	40,665
Missouri,			20,845	66,580	114,552	546	24,986	140,084	110380
Alabama,				127,901	190,171	1,541	117,494	309,206	141574
Michigan,			4,762	8,890	30,848	253	27	31,128	250001
Arkansas,				14,273	25,667	138	4,578	30,383	113273
Florida,					18,385	840	15,500	34,725	
	1,929,827	5,305,925	7,289,314	9,638,131	16,526,638	319,467	2,010,572	12,856,407	

\* For 1830.

† Increase per cent. from 1820 to 1830.

Average per cent. 32,392.

## ALUM.

Mr. BARNUM:

Sir—If you think the following communication will interest your readers, you are at liberty to insert it in the Observer.

J. R. RIDDELL.

In examining the rocky strata in this vicinity a few days since, in quest of fossil relics, I discovered a peculiar saline incrustation near the banks of a small creek. I gave little attention to it at the time, presuming from its situation and appearance, that it was quite limited in extent. Dr. Johns has since shown me a specimen of the same substance, brought from the banks of a creek, four miles from this place, near the lake shore; where it is said to form extensive beds, twelve or fifteen feet in thickness. When tasted, it imparts the sweetness and astringency of alum, with something of the peculiar taste of copperas. Unwilling to rely upon the sense of taste alone, I submitted it to the decisive indications of chymical re-agents. After diffusing some of it in a tumbler of water, and waiting two or three hours for the earthy matter to settle, the clear solution was poured off, and examined first for the substances which I supposed were contained in it. 1st. A few drops of *muriate of barytes* caused a dense, white, cloudy precipitate of solid matter that rapidly settled to the bottom, indicating the presence of *sulphuric acid*. 2d. *Aqua ammonia* obscured the transparency of the liquid, by producing a gelatinous substance, indicating *alumina*, the basis of alum and clays. 3d. The *prussiate of potash* introduced, gave a faint blue precipitate, from which the presence of *iron* may be inferred; though in a proportion much smaller than the alumina and acid. The usual tests for a variety of other mineral substances were introduced, but their presence could not be detected.

This saline product then, is a mixture of the *sulphate of alumina* (native, or crude alum) and *sulphate of iron* (copperas.) The sulphate of alumina, though very similar in some of its properties to the alum of commerce, is yet essentially different, inasmuch as the latter contains potash, which does not enter into the composition of the former. From the experiment of Dr. Johns, we may regard the two salts I have mentioned as constituting rather more than one half the weight of the mineral matter as it occurs in the earth. The remaining insoluble portion is chiefly *aluminous earth*, derived from the disintegration of what once was unquestionably a continuous and solid rock.

Now if this saline matter occurs in such abundance, I have no doubt the best of alum might be manufactured from it with advantage. I think the most eligible method of modifying and extracting it, would be to make a mixture of the crude ore with a sufficient quantity of newly burned wood-ashes, put the mixture in large leach-tubs, allow water to filter through it, and thus obtain its strength by lixiviation. The potash of the ashes will retain the iron, and convert the sulphate of alumina into the alum of commerce. The liquid may be transferred to shallow wooden cisterns, and as the water spontaneously evaporates, the alum will fall down in crystals. About 60 lbs. of potash will be required to make 500 lbs. of alum.

I cannot conclude this account of a mineral so useful, and so rare in its native state, without noticing the probable cause of its formation. As far as I have been able to examine, the horizontal rock that forms the basis of this region, and the permanent boundaries of the lake margin, is of that formation considered by geologists as the highest and most recent in the series of rock strata. It is denominated by some, the *third graywacke*;



others call it the *pyritiferous rock*, because it always contains more or less of the *iron pyrites*, (native sulphuret of iron,) a beautiful mineral that bears a delusive resemblance to gold. The soft and slaty parts of the rock contain the sulphuret of iron in greatest abundance. Now the pyrites consists of sulphur and iron, and when air and moisture can have access, the sulphur is changed to sulphuric acid, and the iron becomes an oxide. The oxide of iron unites with one half of the acid, (experiment proves it can unite with no more,) forming copperas, while the remaining half of the acid is left to act upon the alumina of the rock, which results in the production of crude alum. The weight of the copperas found, at first is more than equal to that of the alum, but the former is easily washed away by water, while the latter being much less soluble, mostly remains. From the circumstance that the presence of air is necessary to the spontaneous formation of the sulphate of alumina, I should much doubt whether it were equally abundant a few feet from the surface. Although if that should prove to be the case, the interior of those banks must still be regarded as valuable beds of alum ore, capable, by a less simple process, of yielding that salt in abundance.—*Erie Obs.*

### FRESHET.

POTTSVILLE, Oct. 15.

Since the recollection of our oldest inhabitants, this portion of the country has not been visited by so considerable a freshet as was witnessed in the early part of the week. It is no less remarkable that the loss of property sustained by this accumulation of the waters has proved, so far as is ascertained, entirely disproportioned to the general apprehension—another proof of the pervading strength and solidity of the results of enterprise. The rain has fallen copiously during several days and nights preceding Tuesday, on which day it subsided, exhibiting its effects in the accumulated torrents which rolled down the declivities of our mountains. Many of the low grounds were involved in inundation. The Schuylkill rose to an unusual height. A portion of the main highway, near *Major Kepner's*, was overflowed—travelling in carriages was checked, and the mail, from that point, was conveyed to our borough on horseback. The Schuylkill Navigation dam in this vicinity received some damage, which was repaired speedily, and at an inconsiderable expense. Several coal wharves at Port Carbon were somewhat injured, by the removal of a part of the structure supporting them. Several boats were swept from their moorings, and a fine litter of pigs, "*dulciter moriens*," perished in the irresistible rush of the waters. Mr. *Crowley*, the owner, with difficulty preserved his dwelling house, by erecting in front a strong stone barrier four feet in height, from the devouring flood—his barn, however, was carried away. On the whole, the freshet has been much less destructive than was generally feared, and the above comprises the extent of the damage thus far ascertained. The Schuylkill Navigation seems to have resisted the shock as far as Hamburg uninjured—from a greater distance below we have not heard the result. Our rail-roads are all safe. Excavations were scooped out in one or two places on the Mount Carbon Rail-road, beneath the upper structure. The injury was trifling, and has already been repaired.

Since the above has been in type, we understand that eighty feet of embankment on the Girard Canal was swept away by the late freshet—the damage, however, can be repaired in a few days.—*Miner's Journal*.

Easton, October 13.

**GREAT FRESHET.**—On Saturday morning last, it commenced raining, and continued to do so almost without intermission, until Tuesday evening. The Delaware and Lehigh rivers rose in consequence thereof to a great height and much injury has been sustained there-

by. On Wednesday afternoon, a passenger arrived in Easton with the intelligence, that a tremendous breach has been made by the water in the Lehigh Canal. We have as yet heard of no injuries on the Delaware canal.

Muncy, Pa. Oct. 11.

THE LATE RAINS have caused a considerable rise in the river; and we understand that it has injured much of the work along the line of canal. The repairs of the Muncy dam, together with a portion of the old structure, have been swept off. The loss to the contractor must be great; besides, it puts a *quietus* to the hopes of having the navigation extended to that place for the present season.

**SCHUTTKILL NAVIGATION.**—We have learned that the resolution has been adopted to abandon that section of our navigation which has been the fruitful source of former obstructions and embarrassment, passing through a limestone region, in the vicinity of Reading, and to substitute the medium of transportation, provided by nature, in the channel of the river. It is a well-known circumstance, that much money has been unavailingly expended, and labour employed, to afford permanent solidity to the section in question, and the conviction of the utter improbability of accomplishing such an object, has given rise to the contemplated abandonment. The important advantages which result to the whole line are too obvious to require detail. While on this subject, it may be proper to remark that the heavy expense incurred in the construction of the double locks, the active exertions which have been and continue to be made, in improving the navigation, and the sincere disposition evinced to afford every facility and accommodation to trade, compatible with the interests of the company, demand our tribute of commendation. The additional sum required to be appropriated for the intended alteration in the course of the canal will, we understand, amount to \$65,000.

MR. GEORGE DUNCAN, of this neighbourhood, who is favourably known to the public, has undertaken the above improvement. He left this place on Wednesday last, to enter upon the duties of the contract.—*Miner's Journal*.

**PENNSYLVANIA AND OHIO RAIL-ROAD.**—We have just seen a letter from an intelligent gentleman at New Lisbon to his friend in this place, which states that Mr. Malin had just completed a survey of the route of a rail road from N. Lisbon to Canton, and ascertained the distance to be thirty-eight miles and three and a half chains. The route is represented to be highly favorable. The whole distance is stated to present no deep cuts or embankments, properly so called by engineers. From Canton to Massillon is less than ten miles, and from New Lisbon to the mouth of Big Beaver, by the route formerly surveyed by Major Douglas, is forty, making the whole distance from the mouth of Beaver, to the Ohio canal at Massillon eighty-eight miles. From Pittsburgh to the mouth of Big Beaver, by the route of the canal, as measured by Major Douglas in the year 1827, the distance is 25 miles and 52 chains. So that a rail road of 113 52-80 miles will connect the Ohio canal with the Pennsylvania canal at Pittsburgh. The estimated distance of the committee who reported to the meeting held in this city some time ago was 125 miles. *Pittsburgh Gazette*.

At a joint meeting of the Select and Common Council held on Tuesday, in the Common Council Chamber, BENJAMIN W. RICHARDS, was unanimously elected *Mayor* of the City of Philadelphia, for the ensuing year.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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## INDIAN AFFAIRS.

It is well known that the Friends have always felt a deep interest in the welfare of the Indian tribes—and especially in the early periods of the province, took a very active part in promoting and preserving peace with them—and of sustaining that character for integrity and fair dealing with the aboriginal inhabitants which the proprietary had established among them. Among the Pemberton MSS. which have been placed in our hands, we find the “MINUTES OF THE PROCEEDINGS OF THE PEOPLE CALLED QUAKERS IN PHILAD. TOWARDS REGAINING AND PRESERVING PEACE WITH THE INDIANS BY PACIFIC MEASURES.” We commence in the present number—making some extracts from them, which shall be continued from time to time—as we notice any of their proceedings which we deem of public interest. We do not know that these have before been made public.

*Minutes of the Proceedings of the People called Quakers in Philadelphia, towards regaining and preserving Peace with the Indians, by pacific measures.*

In the spring of the year 1755, soon after the first accounts were brought of the mischief done by the Indians, on the frontiers of Virginia, some of the people called Quakers residing in Philadelphia, seriously considering the fatal consequences of losing that interest and friendship our predecessors had obtained by their upright dealing, and hospitable treatment of the Indians, in the first settlement of this Province, and apprehending the too general neglect which had for some time been obvious, more especially of the Delaware Indians, who were the native inhabitants of the first settled parts of this Province, and of the Shawnees many of whom were settled among and incorporated with them, would terminate to the public disadvantage, determined to improve every future opportunity of manifesting some regard to them: and several companies of Indians of different tribes, coming to this city on divers occasions, they were visited by some of us, invited to our houses, and on their going away, presented with some small matters necessary for them in their way of living; and the grateful manner in which they received these instances of regard, and the lively remembrance they appeared to retain of the friendship, which subsisted between their ancestors and the first settlers of this Province, afforded us real satisfaction, and some ground to hope our good intentions would not be disappointed.

During the following winter, the frequent melancholy accounts of the barbarous murders committed by the Indians, on the western and northern frontiers of this Province, filled the minds of the people in general, with a spirit of indignation and resentment against them, and no opportunity presented of publicly manifesting the earnest concern we had, to use our utmost endeavours, in a manner, consistent with our peaceable principles, to prevent the impending desolation. The calamity became general, and every one was deeply interested in the measures taken for enquiring into the causes, which induced our ancient steady friends to become our ene-

mies. Yet this being the proper business of those then concerned in the administration of the government, we waited the event of their proceedings, having just grounds to hope, that the knowledge some of them had of several matters which might probably have contributed to this unhappy rupture, together with the repeated applications of the Assembly of the Province, would have excited them to pursue every rational method, of making such an enquiry, and obtaining an amicable adjustment of all differences with these Indians, and of thereby averting the melancholy consequences of continuing to expose them, immediately to the artifice of the French, who would not fail to take advantage of our misunderstanding with them. But the spring of another year returned, and the public remained unacquainted with such means being pursued: great military preparations were indeed made, and forts erected in many parts of the frontiers; but the desolation and distress of the Province increased, and the sanguine expectations of the people, who had at first hoped by these means to defend themselves, were remarkably disappointed. Governor MORRIS, nevertheless, determined to issue a Declaration of War, against the Delawares and Shawnees—many of the people called Quakers, residing in Philadelphia, met together, and after several weighty conferences, being deeply affected with the present melancholy circumstances of the Province, agreed on the following Address to the Governor:

TO ROBERT HUNTER MORRIS, Esq. Lieutenant Governor, and Commander in Chief of the Province of Pennsylvania:—

The humble address of some of the people called Quakers, residing in the city of Philadelphia, on behalf of themselves and many others:—

With hearts sorely distressed, and deeply affected with the calamities of our fellow subjects, and painfully apprehensive of the impending desolation consequent on an Indian war, we address the Governor, and earnestly intreat thy favourable attention, on this solemn and important conjuncture, in which the lives and liberties of the people of this Province, are so nearly concerned.

We have with the most sensible concern and pain of mind, observed the sorrowful alteration in the state of this late peaceful Province, now become the theatre of bloodshed and rapine, and distress'd by the cruel devastations of a barbarous enemy, which justly excites the most aggravating reflections, in every considerate mind; yet when we consider that all wars are attended with fatal consequences, and one with enemies so savage as those who have now become ours, with circumstances the most shocking and dreadful, we cannot omit beseeching, that before the resolution of declaring war against them, be carried into execution, some further attempts may be made by pacific means, to reduce them to a sense of their duty, and that a farther opportunity may be offered to such as may be willing to separate from those who had been the wicked instruments of perverting them.

The settlement of this Province was founded on the principles of truth, equity and mercy; and the blessings of divine Providence attended the early care of the first founders, to impress these principles on the minds of the native inhabitants; so that when their numbers were great, and their strength vastly superior, they received

our ancestors with gladness, and relieved their wants with open hearts, granted them peaceable possession of the land, and for a long course of time, gave constant and frequent proofs of cordial friendship; all which we humbly ascribe to the infinite wisdom of God, "whose hand is for good upon all them that 'seek him,'" and as the angelic acclamations of glory to God in the highest, peace on earth, and good will to men, with which the birth of our Lord Jesus Christ was published, and the examples and precepts which He, as the Prince of Peace, gave through the course of his personal appearance on earth, have given us undoubted assurance that the day is dawning in which his peaceable reign will be exalted, and gradually become universal; we cannot, without neglect of our duty, and sacrificing the peace of conscience, we prefer to every temporal blessing, omitting our testimony in this time of probation, that all wars appear to us, contrary to the nature and end of the gospel dispensation, and that we, as a people still firmly believe, that on an humble and steady acquiescence with the dispensations of divine Providence, our real protection and security depends, from which no temporal inconveniences and difficulties can justify our departing.

Yet while we earnestly desire all may attain to this happy experience, we do not presume to prescribe, but as our minds feel more than our words can express, of pain and anxiety for our brethren and fellow citizens, whose desolation we fear, will be increased and perpetuated by a hasty declaration of war; we find ourselves obliged to beseech the Governor, to resume the most weighty, serious, and religious deliberation on this melancholy occasion, that so every measure which hath been pursued, and whatever remains possible to be done, to prevent so fatal and lamentable an extremity, may be strictly and impartially reviewed and considered; that full enquiry may be made, whether some apprehensions these Indians have conceived of a deviation from the integrity of conduct towards them, so conspicuous in the first establishment, may not unhappily have contributed, in some degree, to the alteration of their conduct towards us; that full time may be allowed for those Indians who still remain well affected towards us, to use and report the effect of their endeavours, to reconcile our enemies, and that proper care may be taken to prevent our allies being through the misconduct or evil dispositions of us, injured in such manner as to provoke them likewise to turn their arms against us; and that the Governor's care to guard against involving the innocent with the guilty may carry so clear demonstration of christian tenderness, and aversion to shedding of blood, that an evidence may be given to the minds of the other neighboring Indians, which may engage them heartily and sincerely to assist in the desirable work of restoring peace and tranquility, towards which all the measures hitherto taken, seem to have contributed little good effect.

We therefore, with sincerity and ardency pray, that the calamities may be averted, which will ensue on a continued war with these savages, some of the melancholy effects of which the annals of a neighboring Province, full of the most war-like people have testified; and as the fear of God, honor of the king, love of our brethren and fellow citizens, are the motives which engaged us to make this address, we hope to demonstrate by our conduct, that every occasion of assisting and relieving the distressed, and contributing towards the obtaining peace in a manner consistent with our peaceable profession, will be cheerfully improved by us, and even though a much larger part of our estates should be necessary than the heaviest taxes of a war can be expected to require, we shall cheerfully by voluntary grants, evidence our sincerity herein.

May the mind of the Governor, be induced with that wisdom which the wisest of kings experienced to be "better than weapons of war;" and may thy councils be directed to the honour of God, and good of the people

over whom thou presidest is our sincere desire and prayer.

Which, was presented to him on the 12th day of the Fourth month, 1756, and the next day by one of his council, he was pleased to send the following answer:—

The Governor desired me to acquaint the friends that sent him the address, that agreeable to their request, he had reassumed the consideration of the Declaration of War, and had for that purpose, summoned as full a council as he could get together, before whom he laid the present state and condition of the Province; the several steps taken by the government to put an end in a peaceable manner, to the cruel ravages of the Indians, as well as their address, when the whole matter was fully debated and considered, and the council advised him to proceed immediately to a Declaration of War, which being agreeable to his own sentiments, he should accordingly do as soon as the conferences with the Indians in order to make proper distinctions between our friends and enemies were over.

And lest the application of private persons should not have the desired effect, they immediately after addressing the Governor, agreed on the following address to the Assembly of the Province then sitting, which was read and presented to them the next day.

*To the Representatives of the freemen of the Province of Pennsylvania, in General Assembly met.*

The address of some of the people called Quakers, residing in the city of Philadelphia, on behalf of themselves and many others.

The mournful, and desolate circumstances of our fell low subjects on the frontiers of this Province, engaging the deep concern and sympathy of every mind capable of considering the distress and affliction to which they are now subjected, and the present conjuncture appearing to us the most critical and important, the inhabitants of this Province have ever known, we hope our address to you, at this time, will obtain your serious, weighty, and deliberate consideration.

We have some time past, painfully observed the measures which have been pursued, and how remarkably they have been disappointed, and failed of the desirable end of restoring peace and tranquility; and as we are informed that the Governor hath under his consideration a Declaration of War against those Indians, who, contrary to the faith of their treaties, and the friendship they have heretofore manifested to us, have become our open and cruel enemies. From the strong motives of the fear of God, and love of mankind, and especially of our suffering brethren and fellow christians, we have been constrained to make our address to the Governor, (a duplicate of which we herewith deliver you) beseeching him to suspend a full determination of carrying such measures into execution, as may render all pacific measures much more difficult; and as the station in which you are placed, the trust committed to you, and the profession you make of being the disciples and followers of our Lord Jesus Christ, the Prince of peace, unite in demanding of your utmost and unwearied endeavours to be exerted for the safety, peace and prosperity of the people of this Province we intreat and beseech you, as you tender the honour of God, the reputation and promotion of the doctrine and fundamental principles of christianity, and the welfare of ourselves, and the people whom you represent, to exert yourselves on this solemn and important occasion.

The records of the several treaties with these Indians, and our ancestors, our own, and our neighbors experience have fully proved, that tho' they are savage, and inexpressibly cruel to their enemies, they are not void of a large share of natural understanding; have in many cases clear sentiments of justice and equity, and have from the first settlement of this Province, till a few months past, manifested their friendship to us. We therefore,



earnestly desire it may be the care of all concerned, (though not convinced as we are, that all war is repugnant to the doctrine and principles of the gospel) to be well assured that our affairs with these people have been transacted in every respect, in the most honest, upright, and equitable manner. The reflections which the want of this necessary care must suggest to every mind, if a time of general desolation should ensue, are too obvious and dreadful to be mentioned, and we are assured that the consideration thereof, hath made a deep impression on many, who cannot but frequently, in this melancholy time, remember the emphatic and prophetic expressions of the wise, worthy, first Proprietor of this Province: "If friends here keep to God, and in the justice, mercy, equity, and fear of the Lord, their enemies will be their footstool, if not their heirs, and my heirs too, will loose all, and desolation will follow."—[*William Penn's Life, Folio 124.*]

That the motive of self interested views have not determined us to these urgent addresses, we are ready and willing cheerfully to manifest, as there are some among us who will freely assist with their estates and persons, to endeavor the regaining the friendship of our enemies, and promoting pacific measures in the same manner as the unhappy experience of some of the most martial neighboring colonies, after long and bloody wars, testified it must at last, if ever be obtained; but as any proposals, or request made by us in our own private capacities, cannot have so much weight with the Governor, as an application and request from you, who represent the freemen of the Province, and who, though not vested with the executive powers of the government, are both by sacred and civil obligations, bound to consult and promote its real welfare, we entreat you to add your endeavours to ours, to effect those necessary and salutary measures."

A few days after which, some of us having the opportunity of a free conference with Conrad Weiser, who had as provincial interpreter, been long concerned in public transactions with the Indians; and being then informed of divers occasions, which had given them just cause of complaint, we were confirmed in our apprehensions, that some dissatisfaction respecting their Lands, had tended to the alienating their friendship from us, and that he thought the only method to save the province from ruin, was to endeavour for a peace with them by pacific measures.

The next day after this William Locqueis, a Delaware Indian from the Jersey's, was sent to one of us with a letter from C. Weiser, recommending him as a person worthy of some notice from us, and fit to be employed in a message to the Delawares, when an opportunity of sending one could be obtained, and there being at that time a number of the Chiefs of the six nations in town, some of us thought it necessary to take some friendly notice of them, but being determined to avoid giving occasion of offence, before we had any conversation with them, Israel Pemberton and Anthony Benezet, waited on the Governor and informed him, that as he had issued a declaration of war, we thought it our duty to acquiesce therein; but as there were some friendly Indians in town, we "were disposed to take some notice of them; and to endeavour by a friendly conversation to manifest our good disposition towards them, and engage their good offices on any occasion which might be improved for the public welfare, and we at the same time assured the Governor, if any thing should occur which had a prospect of tending to the public interest, or might be worthy of his notice, he should be fully acquainted therewith." The Governor expressed his approbation of our designs and gave us full liberty to prosecute our intentions: And the next day some of those Indian Chiefs with C. Weiser and Andrew Montout the provincial interpreter and D. Clau, General Johnson's Secretary, dined at one of our houses, and after dinner had some conversation on the happy

state of the first settlers of this province, and the unhappy rupture which had lately happened.

The free and hearty acknowledgements of pleasure and gratitude from these Indians fully evinced their good disposition towards us, and induced Conrad Weiser to declare he had not lately heard them express themselves with so much openness, and earnestly to urge our improving this opportunity; and in order to it he advised the calling together as many of our ancient men of the survivors of the first settlers as we could collect and to give the Indians another meeting, in which the substance of that conversation might be repeated and enforced on their minds by presenting them with a Belt of Wampum.

Governor Morris was immediately informed by Israel Pemberton of what had passed, and as there appeared some prospect of improving this disposition of the Indians to the public benefit, he was assured that "if he would advise and direct the manner of proceeding, nothing more was desired by us than under his direction to proceed therein in such manner as would be most agreeable to him, most effectually answer the purpose intended and demonstrate that we did not act from views of private advantage thereby, and least the differences then subsisting between him and the assembly about the raising money for the public services should discourage or retard his engaging therein; he was told that whatever sum of money should be wanting even to the amount of five thousand pounds, he should be immediately supplied with, and by every part of our conduct should find our hearty concern for the public welfare to be our principal motives." Our purposes appearing acceptable to the Governor about twenty of us with the same interpreters had two conferences with the Indians and the most material parts of what they said were afterwards communicated to the Governor by Israel Pemberton and the proposal made by Scarroady of sending three messengers to Newcastle, Jiggrea and William Locques to the Delawares and Shawnese settled about Wyoming being approved of by him; the necessary provisions were made for their setting out and proper company providing for their safe conduct through the improved part of the Province and when they were ready to proceed on their journey the governor being waited on by Israel Pemberton and William Logan for the passes and requested to direct what signal they should give on their return to distinguish them from enemies; while the passes lay before him ready to be signed he suddenly appeared to change his intentions and signified his resolution to consult his Council on the occasion.

The minutes of our conversation with these Indians being examined and signed by the three interpreters were immediately after this delivered to the Governor; and his Council being summoned, we were informed they they soon agreed that as he had so lately declared war, any offers of peace from him would be unreasonable and that the method first proposed of the messenger going with such instructions as they had received from their own chiefs was most fit to be pursued.

The next day Scarroady, Jonathan and the other Indian Chiefs setting out in the stage boat for New York, after they were gone the messengers refused to perform the service they had undertaken, and the day following the Governor in consequence of some intelligence received from the Governor of New York during these conferences concluded to send the messengers in his own name.

[To be Continued.]

[Communicated.]

## IRON MANUFACTURE.

MR. HAZARD.—A few days since I met with an enterprising iron manufacturer of Huntingdon county in this state. In the course of conversation he informed me, that the iron business is at present in a flourishing

state, and that nearly all the furnaces and forges in his neighborhood are in full and profitable operation.

Messrs. Lloyd and T. McNamara, are the joint proprietors of *Hannah Furnace*, situated near the south western line of Centre county, on the head waters of Bald Eagle creek, in a valley between the Allegheny Mountain and Muncy Ridge. It went into operation in 1829, and has been very successful; making about 1,000 tons of pig metal annually. This metal, as is the case with nearly all the metal made in that section of country, is converted into blooms at the numerous neighbouring forges, and in that state sent to Pittsburgh, and there manufactured into every variety by their rolling mills. But little bar iron is made at these forges.

Blooms are rough blocks of iron about four inches square, by two feet in length, wrought at a single heat under the forge hammer. They are rapidly manufactured, are of convenient carriage, and lose but little in subsequent manufacture.

*Bald Eagle Furnace*, owned by Messrs. Gloninger, Anshutz, & Co, first went into operation in 1828. It is located in the same valley, (in Huntingdon county,) three or four miles west of Hannah Furnace, and has been equally successful, making about the same quantity of metal.

The valley in which these furnaces are located is abundantly supplied with timber, has fine water power; and will no doubt ere long have several more such establishments within its ample bosom. I mention these two establishments particularly, not having seen them noticed in your valuable paper.\*

The ore for these works is obtained on the south side of Muncy Ridge, and is hauled from three to five miles. A dry barren ridge, of several miles in breadth, but of trifling elevation, which commences in the north western part of Bedford county, and runs parallel with the Allegheny mountain through Huntingdon and Centre counties, is the great depository of this valuable mineral in that section of the country, from whence nearly all the furnaces are supplied. The ore is rich and abundant, and may be found on almost any part of these barrens. There are many kinds, the best of which is called 'pipe ore,' which generally lies deep, and frequently under a stratum of limestone. 'Rock ore' is very good, when free from sand, with which it is frequently mixed. 'Needle ore,' though not esteemed very good, is a very singular production of nature. It assumes the most fanciful shapes. Many pieces strongly resemble, in shape, the natural state of Indian rubber, the surface having the finest possible polish—in colour the most perfect black. When broken, it appears composed of innumerable needles all lying in the same direction, the points extremely sharp, and the butts blunt, they having formed the polished surface of the lump. When these lumps are broken, the needles may easily be separated with the fingers. How this singular arrangement of particles is produced, the lump having no connexion with any other in the mine, and where the surface obtains that inimitable polish, are mysteries I shall not attempt to unravel.

Ore in this region is found in almost every possible situation, as well as in a great variety of kinds. It is sometimes found scattered on the surface of the ground in considerable quantities, and frequently in places where none can be found below the surface. Sometimes immediately under the soil, it is found in great abundance, and of good quality. This is called by miners 'top ore,' and is generally in small black pieces, and of great specific gravity. It is not uncommon however, for these 'top' veins to run slantingly down to considerable depths. 'Nest ore' as it is called, is the next variety. It is generally of the same description as 'top ore,' and is mostly found within a short distance

of the surface. It has its name from the fact of its being found in nests or bunches, embedded in the clay. These nests are of every size, from a few inches in circuit, to bodies of hundreds of tons. 'Rock ore,' so called, from its being found in large solid masses, frequently requiring the aid of gun-powder to break them—is found generally at greater depth; in fact there is no depth yet explored, in the section of which I am speaking, at which it has not been found. It is more abundant than any other—is of excellent quality, tho' sometimes both difficult and dangerous to raise. It is generally black, sometimes, however, it is of a deep chocolate color. 'Pipe ore,' as before mentioned, is considered the best. It generally lies deep—is readily met with; though where it does exist, is most commonly in large quantities. It assumes the most fantastic shapes, all indicating it to be a deposit. It resembles icicles more than any thing else—long spears hanging from the larger masses, sometimes so small that they may be broken off with the fingers.

That iron ore is a deposit I have no doubt, from many observations I have made in these mines, that its original particles are contained in the vast masses of tough yellowish clay in which all these bodies of ore are embedded—that they are concentrated and deposited through the agency of water which is continually and slowly oozing through this clay. I was one day in a mine of 'nest ore,' when observing, just at the edge of the clay, what appeared to the eye a solid lump of ore of the best quality, I took hold of it, and was surprised to find it yield to the pressure of the hand as easily as soft clay, yet it was genuine ore.

I have hastily thrown these few remarks together, thinking they may be new to some of your readers. They are the result of my own observation, and nothing more. J. C.

*Philadelphia, October, 1831.*

## AMERICAN INDUSTRY.

At a meeting of the citizens of Blockley Township, in the county of Philadelphia, comprehending West Philadelphia, Hamilton village, Mantua village, Haddington village, and Monroe village, at the William Penn Tavern, on the 18th of October, 1831, to take into consideration the subject of the tariff and American Industry, Mr. James Britton was called to the chair, and Major John Sidney Hiscox was appointed secretary.

The Chairman opened the meeting with some lengthy and appropriate remarks, and enumerated the particular advantages which West Philadelphia, and the adjacent villages, presented for manufacturing.

Mr. Samuel Breck next addressed the meeting, in a manner that showed him to be a true friend to American industry.

The chairman then read the following preamble and resolutions, which were unanimously adopted:

Whereas, the United States of America, forming one confederate Government, are advancing in improvements, and increasing in population, with a rapidity surpassing any other nation, and are now in the actual enjoyment of unexampled prosperity, under the fostering care of a paternal government, and, whereas the American System, adopted by the General Government, and at this time in successful operation, has produced the happiest effects on infant manufactures, by affording a timely and wholesome protection—And, whereas the advantages arising from this course are very evident, in producing a competition between domestic manufactures, as well as in the sale of foreign fabrics, which has had a direct and positive effect in improving the quality and reducing the price to consumers, and also created a responsibility on the part of the domestic manufacturer highly beneficial to the public, in preventing the imposition of bad and worthless goods, a practice long pursued with great success in the disposal of foreign fabrics, both at public and private sales—And, whereas do-

\* For a more detailed notice of the forges, &c. in Huntingdon and Center Counties, see Register vol. 1, page 42, 97, and 149.

mestic manufacturers have employed a considerable portion of the surplus labor of the country occasioned by a sudden and unavoidable depression in the price of agricultural products, which otherwise would have been lost to the country, accompanied with all the aggravated and demoralizing effects arising from long habits of idleness; and has also had the good effect of creating a home market for the farmer, very important to the agricultural interest, at a time when there was little or no demand abroad for American produce, and when the country was nearly drained of its specie by excessive importation of foreign fabrics—And, whereas all the evil consequences foreboded by the opponents to the American System have proved chimerical, a striking and prominent instance, is the prediction that the Tariff would produce smuggling, and diminish the revenue, instead of which the revenue has increased this year in a ratio that will produce a surplus of nearly eight millions of dollars over the official estimate—And, whereas the many advantages arising from the protecting system have more than realized the expectations of its most sanguine friends, in promoting all the most important interests of the United States, and, if continued, promises to complete the independence of our country. Therefore,

Resolved, That it would be unwise to make any change in the tariff at this time, that would have the least tendency to endanger a system which has proved on experience eminently beneficial to the country.

Resolved, That we, the inhabitants of Blockly, view with sincere and deep regret, the efforts now making by a few individuals, to disturb the present prosperity of our country, and that, although those individuals we believe few in point of number, yet, some of them are men of great talents and influence in the community, and may have the effect of partially misleading some from their true interests if not counteracted.

Resolved, That we cannot for a moment agree in opinion with any man, however gifted by talents or exalted by station he may be, who maintains, that the present tariff laws of these United States, are unjust, unconstitutional or oppressive to the community. On the contrary, we are convinced that their beneficial effects are felt, if not by all, certainly by a very great majority of the citizens of our country, and we believe that the strongest proofs of our assertion may be seen in the progress of our national improvements, and in the almost miraculous growth of our commercial cities, and inland towns throughout the union.

Resolved, That the gradual protection that has been given to our domestic industry, has fully realized the expectations of its best and most able supporters; inasmuch as it has greatly reduced the price of all necessary articles of clothing, in an almost incredible manner. For instance—the article of common shirting, that would have cost in 1817, 30 cents per yard, can now be bought for 11 cents per yard; and at the same time the laborer and the mechanic are receiving as much for their day's work as during that year; consequently the man that in 1817 was working for one dollar per day, could do little more than buy one shirt with his day's wages, is now able with one day's labor to buy more than three shirts, of a better fabric. And this great national benefit is the result, as we believe, of the laws passed since that time, by a wise government, to protect the national industry of our country.

Resolved, That while this almost unparalleled prosperous state of things has been growing into existence, our revenue has not been impaired by a falling off of our importations, nor has it been found necessary, (as predicted by the opposers of the tariff it would be) to lay direct taxes for the support of our government. On the contrary, our national wealth has increased, whilst our national debt has been decreasing with a rapidity scarcely expected by the friends and advocates of the American System.

Resolved, That while our agriculturists, our mechan-

ics, and our manufacturers are prospering, we see with sincere satisfaction, the prosperous state of our commerce, and whilst we are employed in producing, our ships, our steam boats, and our rail road cars are employed in conveying our produce and raw materials, and our manufactured goods, not only from one part of the Union to another, but to almost all parts of the globe.

Resolved, That under the present protecting system, the quantity of cotton consumed in the United States, is about two hundred thousand bales per annum. And when manufactured, is worth as much as all the cotton crops of all the southern states; shewing almost conclusively, the great benefit this single branch of industry is to the nation, and the almost incredible losses that would be sustained by companies and individuals by any national alteration, at this time, of the present system; besides the thousands of men, women, and children that would be turned out of employment, and probably, like the paupers of Europe, be thrown on parishes for subsistence.

Resolved, That if any of our southern brethren are not participating in the great benefits now felt by almost all classes of the community, we deeply regret their deprivation—but we would seriously ask them, would the annihilation of the manufacturers of the north, tend in any way to remove the distress of the south? On the contrary, we believe that any alteration in our tariff laws at this time, would be imprudent and fatal to the best interests of our country, and prolong a disgraceful dependence on Europe, for the necessary articles of clothing.

Resolved, That the surplus revenue arising from the tariff, is a common gain to the country, which ought to be divided among the states, in just proportion, to be appropriated in such manner as the respective legislatures of the individual states may deem most expedient.

Resolved, That the new fangled doctrine of nullification, propagated under the pretext of an opposition to the tariff, is an artifice replete with the most mischievous consequences, and ought to be discontinued by every person friendly to the union, and to the peace and prosperity of our country.

Resolved, That the declaration promulgated on the authority of a majority of the persons comprising the convention lately convened in Philadelphia, on the tariff, pronouncing the law regulating the same unconstitutional, is not justified by the fact or public opinion, but on the contrary, is an unwarrantable assumption of power in a body unknown to the laws of our country, and directly in opposition to the opinion of the Father of our country—the immortal Washington, and every succeeding administration since his time, and is also a dangerous interference with the judiciary, which alone, has the power to sit in judgment on the constitutionality of the laws, made by the constituted authorities of our country.

On motion of Dr. Lehman, it was resolved, That a Committee be appointed to nominate two delegates to the Convention to be held at New York, on the 25th inst.

The President named Dr. Lehman, Mr. Wm. Almond and Mr. James Kershaw.

The Committee nominated Mr. Britton and Mr. Sobier.

Mr. Sobier declined on account of his previous engagement. The meeting then appointed Messrs. JOHN BRITTON and WILLIAM ALMOND.

Resolved, That the editors of newspapers, favourable to the cause, be invited to publish the proceedings of this meeting.

Resolved, That the thanks of this meeting be presented to the Chairman. JOHN BRITTON, Chairman.

J. SIDNEY HISCOX, Sec'y.

At a large and respectable meeting of the friends of American Industry, held at the Court House of Delaware county, on the 17th October, at 2 o'clock P. M. Mr. GEORGE G. LEIFER, was appointed President, and Dr. SAMUEL ANDERSON and I. S. PHILLIPS, Secretaries.



The president having opened the meeting with some appropriate remarks, the following preamble and Resolutions were submitted and unanimously adopted:—

Whereas we are now called upon, in defence of our rights and property, to co-operate with the friends of American Industry, in laying before the public, and, if necessary before the National Legislature, such facts and arguments as will prove the wisdom of that policy which gives protection to our Industry. We trust that, in so doing, we shall convince all who are open to conviction, that the American System, that system which encourages and fosters our home industry and internal resources, is that to which the nation must look for the accumulation of wealth, the increase of population, the improvement of our agriculture, and the means of extended and profitable commerce. That these benefits are the offspring of this system, we assert. If this be denied, still the fact, that under the operation of this system our country has prospered in an unexampled degree, cannot be denied.

We are now loudly called on to abandon this system—to consent to the destruction of the tariff—and adopt the doubtful and untried theory of Free Trade. We are required to pronounce that unconstitutional, which the framers of the constitution gave to us as their construction of their own act, and which the Supreme Court, in a series of decisions during the last forty years, have confirmed. And why destroy our social compact, the means of our prosperity and happiness? Is any section of the Union oppressed by the operation of the Tariff? That such is not the case, we may safely infer, for not one fact has been adduced by the late imposing Free Trade Convention to prove any oppression. Therefore,—

Resolved, That whereas it is the duty, and should be the policy, of every Government, to protect and foster its industry and resources; and whereas under the present Tariff our country has prospered in an unexampled degree, we view every effort to destroy the Tariff, as an attempt to disturb the peace, happiness and prosperity of our country.

2nd. Resolved, That five delegates be appointed to attend the Convention of the Friends of the Agricultural, Mechanical, Commercial and Manufacturing Interests of the Country, to be held in New York on the 26th instant, with power to fill vacancies.

3d. Resolved, That a committee of five persons be appointed to ascertain the number and extent of the different Manufacturing establishments in the county; the quantity of raw material consumed; the quantity of manufactures produced; the number of hands employed; and such other statistical information as it may be important to the Convention to possess; and that this information be furnished to the Delegates, if time permit; otherwise to be furnished to such committee or persons as the Convention may appoint to receive such information.

4th. Resolved, That Henry Myers, Oborn Levis, Joseph Engle, John P. Crozer, Samuel Anderson, Samuel Edwards and John Edwards, be a committee to report to this meeting the names of suitable persons to fill the blanks in the second and third resolutions.

The committee having retired for a short time, reported the names of the following gentlemen as delegates to attend the Convention to be held in New York on the 26th inst. viz—Joseph Engles, Daniel Lamot, George Serrill, George G. Leiper and John Edwards.

The committee also reported the names of the following gentlemen to carry into effect the object of the third resolution, viz—John P. Crozer, William Amies, Henry Moore, Dennis Kelly and Robert Beatty.

5th. Resolved, That the Proceedings of this meeting be published in the papers of this county, and such others as are friendly to the cause.

[Signed] GEO. G. LEIPER, *President.*

[Attest] { SAMUEL ANDERSON, }  
{ I. S. PHILIPS, } *Secretaries.*

## REPORT OF THE ENGINEERS OF THE DANVILLE AND POTTSVILLE RAIL ROAD COMPANY.

*Report of the Committee, as amended and adopted by the Board of Managers.*

The Committee of Managers of the Danville and Pottsville Rail Road Company, to whom were referred the reports and estimates of Moncure Robinson and Francis W. Rawle, Esqrs., Engineers of the Company, "to examine and report to this Board such facts as may be important in reference to the completion of the work," respectfully report,—

That upon examination of those reports, the Committee are satisfied that they have been prepared with great care and accuracy upon surveys made with extraordinary diligence and circumspection. The examination of the ground between the Schuylkill and Susquehanna has been conducted with all the vigilance and skill which could have been desired. The progress and result of their labours are fully detailed in their calculations, drafts, and reports, exhibited to the Board. The Committee have therefore no hesitation in saying, that the fullest confidence may be reposed by the Company in the labours and statements of those gentlemen.

By the former report of Mr. Robinson in December, 1828, it appears that the length of the road from Pottsville to Danville, would be 46 miles, and its length from Pottsville to Sunbury, 49½ miles. That the Danville road would leave that to Sunbury 10½ miles eastward of the latter place, and extend to Danville 7 miles, making the whole distance then contemplated for both lines, about 56½ miles. The estimated expense at that time of the whole work constructed for horse power, with a single track only, to Danville, was \$626,611.—By the present reports, it appears that a superior line may be had for that portion of the road between the Broad mountain and the Shamokin summit, by which 354 feet of rise and fall, and one-fourth of the number of the inclined planes will be saved, and yet the whole line of road will be shorter than before by about 2½ miles. The length of the line recently surveyed, from Pottsville to Sunbury, is a little less than 47 miles, but as it is contemplated to terminate the eastern end of it in the Mount Carbon rail road, 2½ miles northward of Pottsville, so much of the road is thus already made.—The distance therefore for which the road is to be constructed, from the mouth of the river at Sunbury to the Mount Carbon rail road, is 44 miles and 174 poles. If to this be added that part which is to lead to Danville, the whole length of the road to be made would be 51 miles 174 poles.

From the estimate of the engineers, it appears that the whole distance from the Sunbury basin to the Mount Carbon rail road may be completed, not merely as a cheap road for horse power, but in a permanent and substantial manner, graded for a double track, with a single track, and all the necessary turn-outs laid down fit for locomotive engines, and with the necessary inclined planes, stationary power, and all expenses, for the sum of \$675,500. If a double track of road were at once laid down and completed in all respects, it would require the additional sum of \$148,102; but if the Company in the commencement accord in opinion with the Committee, that it is advisable to make the most productive parts of the road first, this object may be advantageously effected in this manner. From the point of connexion with the Mount Carbon rail road, through the inexhaustible coal fields and timber on the big Mahonoy creek, to the mouth of the Shenadoah creek, is 8 miles and 205 poles. From Mr. Robinson's estimate, it appears that this difficult but valuable section, graded for a double track, with a single track laid down on it at first, would cost \$189,495

From the estimate of Messrs. Robinson and Rawle it appears that the expense of the rail

road from the Shamokin summit to Sunbury, a distance of 27 miles and 276 poles, also graded for a double track, but with a single track only laid down at present, would be

271,991

Together amounting to - - - - \$461,486

Executing these two portions of the road, would leave only 8 miles and 13 poles of the most expensive and least productive part of the road between Pottsville and Sunbury, and the line to Danville 7 miles, to be executed as circumstances, and the funds of the Company, might admit, and present every facility for the conveyance of coal and timber from the Mahanoy valley to the Schuylkill navigation at Pottsville, and from the Shamokin summit to the Sunbury basin, and for a reciprocal trade eastward in the products of the valley, of both branches of the Susquehanna, and for merchandise westward from the Schuylkill navigation at Pottsville, in addition to a large revenue to be expected from travellers.

It is manifest from a comparison of the surveys and report of Mr. Robinson in 1828, and those now exhibited by him and Mr. Rawle, that in the most material points, the recent surveys demonstrate the line and route of this road to be much more favourable than the first. The computed expense of the whole rail road is greater, because the character and execution of the work is to be greatly superior to that then contemplated. The former was a calculation of the expense for horse power, the latter is a calculation of a road adapted to steam power.

Under the former report, much less encouraging than the present, the stock authorized was subscribed, the first instalment paid, the company incorporated, the managers elected, and the work commenced. Nothing has arisen to the knowledge of the Committee since the first share of the stock was subscribed, which should have created any doubt but that this road will be of great utility to the public, of great benefit to the city of Philadelphia, and ultimately highly productive to the stockholders. These three results appear to bear such relation to each other, that if either of them arise, the whole of them will necessarily follow the execution of the work. Fully impressed with these views, the Committee respectfully recommend that a meeting of the Stockholders in the Danville and Pottsville Rail Road Company be convened at the office of the Company in this city, on Saturday the 12th of November next, at 11 o'clock—that all the reports and estimates of the engineers, calculations and amount of subscriptions made, be then laid before them, and that the Board ask their instruction and decision. 1st. Whether the Stockholders will undertake to raise a sufficient amount of subscription, and direct the whole work to be put under contract, or whether they will, agreeably to the recommendation of the Committee, direct that part of the road to be put under contract leading from the Schuylkill navigation to the mouth of the Shenandoah, in all about 11 miles, giving the best and cheapest outlet for the superior and inexhaustible coal, with the other mineral productions and timber of the Mahanoy range to the Schuylkill navigation, and the other leading down from the summit of the Shamokin to Sunbury, 27 miles and 276 poles; and offering the only practicable outlet for the immense and valuable coal fields, and other minerals of that region. These—two of the great and important objects of the incorporation of this Company, can, as the Committee fully believe, according to the estimate of Messrs. Robinson and Rawle, be accomplished—a road graded for a double, and at present only a single track laid down, for \$461,486, and leave until the additional funds of the Company will enable it, as well to complete the line to Danville, 7 miles long, and estimated, with a single track graded and laid, to cost \$82,500, and the remainder of the main line, 8 miles and 13 poles, to be completed, and which it is estimated will cost \$214,014, in order to connect the

Schuylkill and Susquehanna by a rail way calculated for steam power, and by which, with the Schuylkill navigation, the distance from the confluence of the two branches of that noble river to this city, will be but 153 miles.

The Committee also suggest the propriety of recommending to the Stockholders to ask an extension from the Legislature, of the time now allowed for the completion of the whole work, with permission, if at any time hereafter the tolls should not enable the Company, after paying all repairs and other necessary expenses, to divide six per cent. per annum on the capital stock expended, that then the President and Managers shall be authorized to increase the tolls, so that the dividends shall not exceed ten per cent. per annum.

*Report and Estimate of M. Robinson, Engineer on the Eastern Division of the Rail Road.*

To the Board of Managers of the Danville and Pottsville Rail Road Company.

GENTLEMEN,

Having progressed to such a point in the location of the eastern division of your rail road, as probably to be able to meet the objects of your resolution of the 13th of July last, I deem it proper to present to you the following report.

It will be recollected by some of the members of your Board, that in the summer of 1828, I made, under the direction of the Canal Commissioners of Pennsylvania, among other surveys, one of a line of rail road between Pottsville and the Susquehanna river, at Danville and Sunbury. The line surveyed at that time possessed the advantage of being the least expensive on which a rail road could be made between the above named points. It was stated, however, in my report to the Canal Commissioners, to be "far from satisfactory." The rise and fall overcome on it, was not only greater than on any rail road which had previously been executed, but somewhat beyond any other at that time projected in our country. The lifts of course were numerous, and in addition, several portions of the line did not admit of such a graduation as I would have wished; and the whole line presented bold and frequent curvatures.

My reflections since have satisfied me of the correctness of my conclusions in 1828. Whilst the estimate then made by me appears, on a review of it, to be quite sufficient for a rail road executed on the line, and in the manner which was then proposed, I am equally satisfied that a judicious economy would recommend a superior line of rail road, and a superior execution, even at a considerable increase of cost.

Looking at the subject in this point of view, my efforts, since my appointment by your Board, have been mainly directed to an improvement of the line surveyed by me in 1828, and every examination which presented the remotest probability of contributing to such an improvement, has been made. The results of these examinations will show to the Board, that too much time has not been sacrificed to the object in question.

Comparing the improved line of the present year with that surveyed in 1828, the following are the results.

The rise and fall to be overcome between Pottsville and Sunbury, is diminished 354 feet. The number of inclined planes will be nine instead of twelve. Two stretches of very bad graduation, where the former line was too steep for the convenient application of horse power, and where stationary power would scarcely have been advisable, have been avoided; and the whole line, with the exception of a short distance near Myers' saw-mill, on the Shamokin, has been reduced within a graduation of 30 feet per mile. The line has been shortened one and a third miles, and the planes have been so located, as that at seven of them a body of water equal to the greatest trade which can ever be anticipated, may be commanded and made use of as a substitute for

\* This Report will be found in Reg. Vol. 3, page 54.

steam power. A drawing of the machinery, by which it is proposed to effect this, is herewith presented to the Board.

It will be perceived, from the above sketch, that a line of rail road, very superior in character to that surveyed in 1828, is now submitted to the Board of Managers. Its trace may thus be described. Commencing at a point on the Mount Carbon Rail Road, near Wadesville, it rises by an inclined plane 115 feet, to the summit, between the east branch of Norwegian and Mill Creeks. It then passes up the valley of the Mill Creek, rising by three inclined planes, and a graduation varying from ten to twenty feet per mile, to the summit between the Mill Creek and Little Mahonoy. This summit it is proposed to reduce by a cut 800 feet long and 17 feet deep at its apex. The Little Mahonoy valley is afterwards passed by an embankment twenty-six feet high, and the dividing ground between the Little and Big Mahonoy by a cut of 900 feet long and thirteen feet deep. The line then descends to the level of the Big Mahonoy valley, at the mouth of the Shenando, (511 feet) by two inclined planes, and afterwards keeps this level, along the slope of the Locust Mountain, to its intersection with the Centre Turnpike. At this point it rises by an inclined plane 181½ feet, and a graduated stage three and a half miles long, ascending for 2400 feet, ten feet per mile, and afterwards at the rate of thirty feet per mile, to the proposed summit between the Mahonoy and Shamokin.

West of the Shamokin summit, the line descends for 160 poles, at the rate of twenty feet per mile, but is afterwards carried on a graduation of thirty feet per mile, except at two points at which inclined planes are proposed, and along the distance above mentioned near Myers' Saw-mill, where for one and a half miles, a graduation descending at the rate of fifty-five feet per mile, will be requisite.

The line of rail road above described, naturally presents itself for consideration, in three separate divisions. — The first, five miles long, extending from the point of intersection with the Mount Carbon Rail Road, to the summit of the Broad Mountain. The second, eleven miles 218 poles long, extending from the Broad Mountain summit, to the dividing ground between the Mahonoy and the Shamokin. The third, thirteen miles and 276 poles long, from this last named summit, to the termination of the eastern division of the rail road.

It will be perceived, from the above description, by those members of your Board who are familiar with the location of 1828, that the present line varies from the line surveyed in the summer of that year throughout the whole of its middle subdivision: that the reduction in its rise and fall, and in the number of its inclined planes, has been effected by crossing the Mahonoy at a higher point, and afterwards sustaining the level of the valley of that stream at the mouth of the Shenando, along the southern slope of the Locust Mountain. On the other portions of the eastern division of the rail road, the line of 1828 appears to have been placed almost every where on the most eligible ground, and no other changes are proposed in it generally, except to incur an increased cost in reducing curvature at bluffs and ravines, and at some few points in improving its graduation. It has been presumed, under these circumstances, that the objects of the resolution of the Board of the thirteenth instant, will be met by presenting to it, a minute estimate of the cost of the second subdivision of the rail road, made on a very precise location for nearly its whole extent; and such an approximate estimate of the cost of the first and third subdivisions as could be formed on a review of the line and estimate of 1828.

I beg leave now to draw the attention of the Board to the character of the improvement I would recommend.

The grading of the road should, at any rate, be made with a view to a double track, because it could not be long before, on some portions of it, if not on the whole,

a double track would be required, and it would be attended with a large additional expense, beyond what would, in the first instance, have been requisite, to widen the road way, when such necessity should be felt. It is otherwise with the superstructure of the rail road. A double track would certainly not be immediately required, and even were it soon to be called for by the exigencies of the trade, it would still be more advantageous to lay down in the first instance a single track, and to make use of this single track for the purpose of transporting materials for the second.

The course here recommended was that adopted on the Little Schuylkill Rail Road. The roadway formation of the last named rail road was made in cuttings twenty-two feet wide, and in fillings twenty feet (the width required for a double track;) but rails for a single track only have been laid down for the present.

The superstructure I have proposed would be white oak, or yellow pine rails plated with metal, resting according to circumstances, on stone blocks or white oak sills. Such a superstructure would cost, on an average, for a double track including crossings and sidings, about \$7000 per mile.

#### *Cost of the Rail Road. Subdivision First.*

The inclined plane, by which the Danville and Pottsville Rail Road must leave the Mount Carbon Rail Road, cannot be located to the greatest advantage, without encountering a deep cut and tunnel 1400 feet long. The cost of this work will be \$25,000. On the remainder of the subdivision: the difficulties in roadway formation are of nearly an uniform character; the line being carried on steep and rocky-hill sides, varying between twenty and fifty degrees. From a careful examination of the ground, a review of my former estimates, and an attentive consideration of the improvements in curvature, and construction which are proposed on this part of the road, I am satisfied that the expense of its roadway formation, including that of the cuttings and fillings on planes Nos. 2, 3 and 4, would not vary materially from an aggregate of \$47,500, or a fraction exceeding an average of \$10,000 per mile. At this rate, the estimate for the first subdivision of the rail road, would be as follows:

Whole cost of roadway formation of four miles 235 poles of rail road,	\$47,500 00
Deep Cutting and Tunnel,	25,000 00
Superstructure of five miles of rail road, at \$7000 per mile,	35,000 00
Machinery and fixtures for inclined planes, Nos. 1, 2, 3 and 4,	22,500 00
	\$130,000 00

#### *Subdivision 2d.*

On this portion of the rail road, as has been before observed, careful estimates have been made on a very precise location, on nearly its whole extent. Its cost is embraced in the following

#### *Summary.*

Excavation, embankment and walling of eight miles and thirteen poles of the rail road, east of the Shamokin summit, as per abstract marked A,	\$125,513 94
Excavation and embankment on one mile and 18 poles, between Broad Mountain summit and plane No. 5, as per abstract B,	15,402 00
Mechanical work on above named portions of rail road, as per abstract C,	32,300 00
Roadway formation of two miles and 177 poles of rail road, at \$10,000 per mile,	25,531 25
Superstructure of eleven miles and 218 poles of rail road, at \$7,000 per mile,	81,768 75
Machinery and fixtures of inclined planes, Nos. 5, 6 and 7,	24,150 00
	\$304,665 94



It remains to present you an estimate of the third subdivision of the rail road, or the portion of the road extending from the Shamokin summit to the western extremity of the eastern division. The line on this portion of the route will not have been definitely located before the close of the present season; but it encounters, except at a few points, only ordinary difficulties, and I should deem an average of \$15,500 per mile, sufficient to cover the whole cost of grading and superstructure for a double track, including the cost of machinery for the two inclined planes. The whole cost of the subdivision, thirteen miles and 276 poles, would, of course, be \$214,868 75.

It appears, then, that the total cost of the eastern division of the Danville and Pottsville rail road, presuming

the superstructure of a double track to be laid down immediately, would be \$649,534 and 69 cents. If a single track only were laid down in the first instance, the cost of the division would be diminished about \$3000 per mile, or an aggregate of \$91,651 and 25 cents.

I should remark, before closing this report, that the above estimates are based upon the present prices, both of labor and provisions. I should not have been willing to predicate them on other data, but the present may certainly be deemed a dear year in both respects. The most reasonable presumption, therefore, is that they will prove over liberal rather than otherwise.

All which is respectfully submitted.

MONCURE ROBINSON, C. E.

Philadelphia, Oct. 11, 1831.

### ABSTRACT OF THE ESTIMATES OF EXCAVATION, &c.

#### A.

*Abstract of the Estimates of Excavation, Embankment and Walling of 8 miles and 113 poles of the Danville and Pottsville Rail Road, east of the Shamokin Summit.*

Stations.	Excavation.	Price.	Embankment.	Price.	Solid Rock.	Price.	Loose Rock.	Price.	Walling.	Price.	Dolls.	Cts.
No. 1 to 15	3566	16	307	10							601	26
" to 31	27560	17									4685	20
" to 35	77	8	920	10							98	16
" to 44	1220	8	31	10							100	70
" to 51	34	11	11,331	16							1816	70
" to 57	1878	10	378	10							225	60
" to 68	742	10	1661	11							256	91
" to 74	70	10	3712	16							600	92
" to 84	749	8	1341	10							194	02
" to 91	128	10	3415	15							525	05
" to 96	4857	12			784	75					1170	84
" to 104	24	10	41092	18							7398	96
" to 113	1227	12	347	12			301	20			249	08
" to 117	2900	12	140	13	1326	75	1128	20			1586	30
" to 123			90647	18							16316	46
" to 127	3739	12					2303	25			1024	43
" to 130			1977	14							276	78
" to 133	697	11									76	77
" to 148	2678	10	20	10							269	80
" to 151	4663	11									512	93
" to 153	2076	11			2000	75					1728	36
" to 164	10	10	89470	17							15210	90
" to 168	2152	12			1148	75					119	24
" to 174			4996	12							599	52
" to 186	24080	16			4859	70					7254	10
" to 214	11681	11	3623	12							1719	67
" to 221	17	12	21243	20							4250	64
" to 242	5890	10	742	11							670	62
" to 252	6496	12	57718	17							10591	58
" to 275	5036	13	4810	13							1279	98
" to 286	882	10	1357	11							237	47
" to 294			89977	20							17995	40
" to 303	1823	10	64	12							189	98
" to 309	4493	11	3989	12	1259	75			300	60	2097	16
" to 316	1271	12	1666	12			224	15			386	04
" to 335	1730	11	6988	12							1028	86
" to 342	1456	11	1063	12	400	60					527	72
" to 350	876	10	1211	11							220	81
" to 356	717	10	1177	11					150	60	291	17
" to 359	525	10	81	11							61	41
" to 367	2443	11	450	11							318	23
" to 372	454	10	238	11							71	58
" to 383	238	11	4792	12							601	22
" to 392	1534	12	158	13	510	70	510	20	723	60	1097	42
" to 396	947	11	2225	14							415	67
" to 403	2196	11	72	12							250	20
" to 406	733	10	933	10					400	62½	416	60
" to 413	792	11	360	13							133	92

Carried forward, \$107,752 34

<i>Brought forward,</i>	\$107,752 34
Distance from the summit, or No. 1, to No. 413—41,210 feet,	
Grubbing and clearing, at \$7, per 100 feet,	2,884 70
From No. 413 to foot of Shenando plane, 1250 feet grubbing and clearing, at \$7 00 per 100 feet,	87 50
From No. 413 to foot of Shenando plane, 2986 cubic yards excavation, at 15 cents,	447 90
From do. do. 6950 cubic yards embankment at 17 cents,	1,181 50
Between No. 350 and 359, add for carrying Boyd's Road outside of the rail road, 1000 yards embankment,	110 00
Between Nos. 403, and 405, add for carrying embankment 2000 yards, at 10 cents,	200 00
Partial alteration of Sunbury Turnpike, for two or three hundred feet,	50 00
	\$112,713 94
Add for rock, both loose and solid, where not indicated on surface,	8,000 00
Do. for increased size of embankment, to allow for settling 30,000 cubic yards, at 16 cents,	4,800 00
<b>Total amount,</b>	<b>\$125,513 94</b>

**B.** Amounts of excavation and embankment in one mile and twenty-eight poles, of the Danville and Pottsville rail road, between the Broad Mountain summit and Mahony plane.

30,800 cubic y'ds of excavation at 13 cts.	\$4,004 00
2,550 do. of rock excavation, at \$1,	2,550 00
55,300 do. embankment, at 16 cents,	8,848 00

**Total amount, \$15,402 00**

**C.** Abstract of mechanical work on eight miles and thirteen poles of the Danville and Pottsville rail road, east of the Shamokin summit, and on one mile and twenty-eight poles between the Broad Mountain summit and Mahony plane.

8100 perches masonry, at 175 cents,	\$14,175 00
2500 do. do. 200 "	5,000 00
2950 do. do. 250 "	7,375 00
Foundations, including flooring of arches,	3,500 00
Dry stone drains,	1,200 00
Woodwork of bridges,	1,050 00

**Total amount, \$32,300 00**

*Report and Estimate of F. W. Rawle, Engineer on the Western Division of the Rail Road.*

To the President and Managers of the Danville and Pottsville Rail Road Company.

GENTLEMEN,

I have the honour to submit the following report on the survey and location of the western division of the Danville and Pottsville rail road, with plans and estimates accompanying it. This division commences at Danville, and terminates a short distance above Stambach's, on Shamokin creek, and includes the branch line from Sunbury.

In the survey of 1828 for a rail road from the Susquehanna to the Schuylkill, made under the direction of the Canal Commissioners, by Mr. Robinson, the general course of the proposed road is described—On that portion of it terminating at the north branch, near Danville, the route is indicated as passing the Shamokin Hill, and following the valley of Logan's branch, which comes to the river about two miles above the town. Upon an examination of the country, previous to the commencement of the present survey, this was obviously the only line of consideration.

As the route included a summit of some elevation, which would have an arbitrary effect on the character of the

line that was to reach it, it was necessary to decide on the plan by which that object would be best accomplished. The ground that presented itself, extended for a certain distance along the river before reaching the valley of the branch. By an experimental line it was found that no situation could be obtained, at which, by the establishment of an extra power, we should be enabled to keep the other part of the line as far as the summit at a reduced graduation, and the rapid ascent of the valley precluded any adaptation of the line to its surface. It was therefore concluded to take advantage of the side of the river hill, and that bounding the valley, and by running on a uniform ascending grade, which would be within the limits for the convenient operation of a motive power, carry the line as far as the ground would admit. The grade established was at the rate of thirty-six feet in a mile.

Fixing on a point opposite the end of the bridge at Danville as the place of the commencement, the line was laid about three hundred feet from the river, and parallel to its course, on ground affording ample space and convenience for landing—a connexion with the bridge was also formed. By this, and the front on the river, every access to the road can be had. From this place the trace of the route proceeds for the first half mile under very favourable circumstances, at the end of which distance it reaches the side of the Blue hill, and thence bounds the river without any intervention of alluvial bottom.

The bold outline of the ground here, rising with steep slopes and points of rock, causes some extra work to sustain the line, and preserve the necessary width for the turnpike below. This character of ground continues, with some variation, until the line approaches the land of Mr. Boyd, which extends for some distance. Here, the hill receding, leaves a secondary ridge of moderate slope, affording in every respect a favourable location, and continues to the opening of the valley at Logan's run.

Turning into this valley on a curvature, the radius of which is unavoidably less than the usual limits, the route is traced on the hill side, and elevated ground, without any material interference with a desirable location, as far as the farm of Lewis Yastine. At this distance, (four and a half miles,) from the increased rise of the valley, it was found impracticable to continue the graduation that had been so far run. The line was therefore passed over the bottom land, which presented a convenient profile of nearly uniform rise, at a grade at the rate of sixty feet per mile,—and carried one mile further to the point marked A on the map. The road will be confined to the meadow land by a moderate embankment, formed principally by the excavation of a new channel for the stream, in many places required.

An elevation of one hundred and seven feet in a distance of forty chains now remained to be accomplished, in order to gain a given height at which the summit of the Shamokin hill, reduced by a deep cut, could be passed. An inclined plane overcoming this elevation and distance, partly sustained by embankment, and partly on the side hill, was located in a direct line.

From the head of the inclined plane the line curves round a projecting slope of the hill at a level for sixteen chains, and then passes the summit by the deep cut, forty-five feet deep at the highest point, and thirteen chains in length, to the head of the ravine of a small run descending to Shamokin creek. The average cutting encountered will be twenty-five feet, the ground falling abruptly on either side. The excavation will be in part of earth easily removed, and about one-third is estimated as rock—the whole can be disposed of without much extra distance in hauling. The descent to the position in Shamokin valley is then effected by two inclined planes, with a short level between them. The course of each plane is a direct line. The first is principally sustained on the slope of the ravine, and descends 91 feet in 858, equal to one in 9.44. The second, termin-

ating at Shamokin creek, is embanked for some distance in order to preserve the straight line, and descends 180 feet in 2,244, or one 12.46.

It will be proper here to state the mode of passing the trade, and the additional power required on the line thus described. The first section of the road as far as Vastine's, is calculated for any power it may be most expedient to employ. Locomotive engines may be used, but their useful effect would be limited, and they would be liable to certain regulations which in the short distance to be travelled, would be found inconvenient. The employment of horses will be the most advantageous, particularly as their power can be conveniently increased at the point when the increased gradation of the road will require it. This will be the case in passing over the distance from Vastine's farm to the foot of the inclined plane. The arrangement will be, that on the arrival of the trains at the farm, the requisite number of horses must be taken off, and applied to drawing up each train in succession to the foot of the plane, up which they will be passed by means of a stationary engine, the horses returning until the whole are passed. From the head of the plain the trains will be drawn over the summit, and descend by their gravity on the two inclined planes to the Shamokin. These planes will be regulated on the self-acting plan, so that the trade going to the Susquehanna may be drawn up by the trains descending, which may be calculated on as greatly preponderating.

The passage of the hill in this manner seemed to be recommended in its general character. It was deemed advisable, however, to try whether by a tunnel, the establishment of stationary power on the northern side, and the upper plane on the valley side might not be avoided. By the tunnel line it was also expected that the water of the run could be conveyed to the opposite side, and employed as a useful power on the remaining inclined plane. Returning, therefore, to the position marked A, it was found that the graded line, by following the course of the stream, could be brought to a convenient point to commence the tunnel in a distance of thirty-two chains. The graduation will, however, be increased to the rate of one in 68 or 77 feet in a mile. The length of the tunnel will be 814 yards under a comb, the highest part of which will be 130 feet. By an inclination given to the bottom of ten feet, in a direction towards the valley, it will be brought to fall into the former line, as described at the head of the second plane, with an additional length to that structure of 125 ft.

The stream referred to may be passed over the bottom of the tunnel, and brought to the desired point. The object in effecting this would be to use the water as a preponderating weight in drawing the ascending waggons, which by any failure in the regulation of the contemplated descending weight, might be dependent on some other power. The application would be on a plan suggested by Mr. Robinson, and proposed to be adopted, it is understood, on the eastern division of this road.

In calculating the area of the tunnel, width was allowed for a single track only—this being deemed sufficient for accommodation at this point. The excavation will consist of rock of a compact kind, stratified occasionally with slate.

After crossing the Shamokin creek, the line is graded at one in 256, and carried seven chains on a curve, when it reaches a favourable point to commence ascending the Shamokin valley at the end of the seventh mile. This valley, through which the line is traced from this point to its termination, offered some space for examination. An experimental line had been run on the north side of the creek, passing Reid's fulling-mill and crossing near the brick church, and was found to be of a favourable character. By this route the crossing of the creek could be effected after the junction with the Sunbury line, which takes place at the point referred to, and some other facilities gained—upon the location

of the plane it was, however, essential in preserving the proper line in plan to pass the stream, and proceed on the southern side. By adopting this side a distance of some importance was saved, and considerable advantage gained in the location of the Sunbury line. With an ascending grade, varying but little from twelve feet in a mile, the route is then traced through the farm of J. Reid, on ground well adapted to road formation, for some distance. At the upper end of that place, the high ground extends to the creek, and requires for a short distance something more than the ordinary work in the construction; leaving this point, sideling ground of convenient slope is obtained as far as Hughes' mill. In passing back of the mill, an elevated strip crosses the line and calls for some extra work. Thence the line is pursued, passing by embankment over twelve chains of low ground to avoid a rocky bluff, and reversed curves, until it reaches Yocum's place. At this point ground entirely favourable presents itself, and continues to Stambach's, and thence to the termination of the line, interrupted only by the crossing of the turnpike—the whole distance ten and a half miles.

At Sunbury, the line occupies the bank of the river fronting the town for eighteen chains: a space of one hundred feet in width is left on which lateral rails may be laid to connect with the pool; it was deemed best to extend the line thus far up the bank in order to embrace the most convenient points. Opposite to the lower side of a twenty foot alley, the line turns on a short curve, and pursuing a parallel line to the streets, passes through the town. The necessary width for the road will be taken partly from the alley, and partly from the adjoining lots. The lots are nearly all unoccupied by buildings, the interference with property will therefore be inconsiderable. Keeping the same direct line, the route is traced through the out-lots, and after passing some low ground, gains the point of the ridge lying back of the town; this point is passed with sufficient room, and affords the material for the adjoining embankment—the bottom land of Shamokin creek is then reached, on a graduation very little above a horizontal plane. From this place examinations were made to determine which side of the valley of that stream would afford the most favourable ground to reach a position at H. Bucha's farm. By keeping the general course of the ridge, the passage of the stream would be avoided; but an increased distance, and some difficult points would be encountered. On the south side, a line nearly direct in its course, and after passing the creek, affording, in most respects, a favourable location, could be obtained. Adopting the latter, the route is traced with a grade of six feet in a mile over the bottom land, and crossing the stream with a bridge 110 feet in length, and Little Shamokin at a convenient place, reaches the sideling ground at Leisenring's. Along this it continues for some distance, until the crossing of the creek is again effected at Bucha's place; at the next farm some extra cutting occurs. From that point, the line proceeds under favourable circumstances, passing through cultivated land, as far as the end of the seventh mile, on a graduation varying from six to ten feet per mile. The remaining distance rising from nine to thirteen feet per mile, passes in front of Snyder town, thence through the land of Jones, Hoover and others, and terminates at the junction with the Danville line, at ten miles and fifty-two chains.

The line has been laid off in sections and staked out ready for contract, with the exception of one or two points, which may be subject of further consideration.

The road has been estimated at 22 feet wide, and with a double track the whole distance. On some parts, particularly the side hill ground on the Danville line, a single track with sufficient turn-outs might be used.

In the following proposed mode of superstructure of the rail-way, sufficient strength and solidity is allowed for the operation of locomotive power. This it may be found convenient to use on the line that passes the



whole distance through Shamokin valley, which is well adapted both in plan and profile. Upon well packed stone, filled into trenches, and levelled to the surface, cross sills of white oak, or other hard timber, ten by twelve inches, are placed every six feet—notched out to receive the rails, and hewn out in the centre. The rails of the best yellow pine, five and a half by nine inches, well dressed to good joints and even, are let in and secured by wedges. The iron plates to be half an inch by two inches, and fastened with four inch spikes fifteen inches apart. Broken stone to be filled in between the rails forming the horse path.

The architectural structures on the line are few, and in all cases are of moderate dimensions. The bridges where streams are passed will be of wooden frames, supported by dry masonry.

In making out the estimate of cost, it is believed every expenditure that is likely to occur is included, and the prices allowed sufficient. Some alteration in the stone foundation for the rails may probably be recommended, if on the opening of the road it is found that the proper material can be conveniently procured.

If a single track should be adopted on the parts of the line referred to, a very considerable reduction in the cost of the road formation would occur.

Respectfully submitted,

F. W. RAWLE, *Engineer.*

October 12th, 1831.

[*Estimate next week.*]

### RELIEF OF THE POOR.

After several conferences had been held among citizens desirous of adopting some permanent measures for ameliorating the condition of the poor, and prevent pauperism, it was resolved, at a meeting held on the 18th of October, 1831, at the Apprentices' Library, to accept the following report, as explanatory of their views on this important subject. It is addressed to all classes, and appeals to all, without distinction of party, or sect, for support in the benevolent scheme which it sketches out.

#### REPORT.

The following considerations on the duty, policy, and most efficient methods of relieving poverty and distress, are submitted to a benevolent public, with the hope that they will be generally approved of, and the measures recommended in them be carried into early operation.

So closely interwoven are the interests of all classes of society, that the poverty and degradation of one of them cannot but exercise a sinister influence over the others; nor is this influence the less sinister because not immediately felt. However much we must admit, in the nature of things, the division of society into rich and poor, since no one can promise himself security against the reverses of fortune, or say that the sun of his prosperity to-day may not be succeeded by the clouds of misfortune to-morrow; yet we cannot, as philanthropists and christians, recognize the imperative necessity of evil being the companion of adversity, or that ignorance should be the handmaid of poverty.

Those of low estate ought not to be left in intellectual darkness, often more painful and bewildering than personal privation and suffering. They ought to receive from enlightened benevolence something more than mere alms. To them ought to be extended cheering counsel, a knowledge of the fitting means to extricate themselves from the difficulties in which the vices of others, or their own faults, and, not unfrequently, unavoidable misfortunes, may have placed them.

To accomplish so desirable an end demands, not the devoted benevolence of a Howard, or uncommon practical sagacity of a Franklin, but, simply, a display of these qualities to the moderate extent in which they may be presumed to be possessed by our fellow citizens

at large. Each one discharging his duty to the poor, renders that of his neighbour light and easy of fulfilment. By union, therefore, in its principles, and division of the labor in its details, entire success may be anticipated. If all those who are able to take a part unite in the cause, the society will embrace a majority of the community, intent on ameliorating the unhappy condition of the less favoured portion of it.

Such an association, for such purposes, it is desired to form in this city; and to encourage the prompt and vigorous execution of this beneficent plan is the object of the present address. By thus acting in concert, and with, and at the same time, a full understanding of the case, their fellow citizens would be able, with the moderate sacrifice of personal comfort, and a very slight occasional pecuniary aid, to carry into effect all that the most zealous philanthropy could suggest.

The true end of practical benevolence is to enlighten the poor and needy respecting their real situation, to point out the common causes of their existing depression, and to show the remedy in habits of morals and industry. The discouragements of ignorance are closely allied to the habits of indolence, and it is often sufficient for the removal of the latter, that we introduce a knowledge that labor will be required by suitable wages. We thus at once give an incentive and ability to work. But it is not sufficient for us to say that industry finds its own reward—the mode must be pointed out in which industry can be profitably exerted. The expectant for employment, the indolent hopper for better times, to extricate himself from present poverty, must be distinctly apprized of the facility with which, by a slight change of place or by personal application, timely made, he will have scope for his honest efforts, and an immediate pecuniary return for either his labor or ingenuity.

Nor ought the office of friendly counsel to end here. The poor man must be duly impressed with the necessity of thrift and economy—of order and method, by which he can obtain for himself and family the greater number of comforts for the least cost, for it is a melancholy truth, that they who have the most need of economy, are from ignorance, rather than perverseness, the worst economists. He should be taught, moreover, to affix a true estimate to what are called personal gratifications, and above all he should be made sensible of the injury to his health and his morals—the waste of time and of money,—the increased temptations of crime, by indulgence in the use of strong drinks, and the consequent liability to drunkenness,—in fine, that the barrier he is to set up against ill fortune is frugality, and that real comforts are to be preferred to low dissipation.

While the work of friendly visitation and advice is going on in favor of the poor and labouring husband, the like benefits are to be ensured to his wife, by the humane attentions and never ceasing kindness of the female members of the benevolent association. The most advantageous employment of her needle, the cheapest and most suitable articles for family use, whether of food, clothing, or of domestic economy in other respects—the value of system and of regular hours,—the force of her own example, of self moderation and industry, on her children, are points which her kind visitors will endeavour to impress on her mind as of peculiar moment. Conjugal harmony will thus be strengthened by mutual habits of industry and regular employment, and parental efforts will be wisely directed to preserve the health of their children by simple food and suitable clothing; and when the years of infancy are past, to place them at schools where elementary instruction is easily obtained.

Should the urgent necessities of the parents demand labour from the hands of their children, this may, under friendly guidance, be of such a nature as shall not impair the health of the latter; while it yields the greatest profit to the former. New modes of industrious occupation; virtuous little handicraft employments, can be

D. A. Mitchell

pointed out to the parties concerned, by the visitors of the association, who will thus make the poor understand the important distinction between man in a rude, and man in a civilized state of society—that the one wastes his force, whether natural or acquired—the other economises, that is, saves it. Information on practical subjects, conveyed in a plain style, and in a small compass, can, from time to time, be distributed, and the benefits of civilization, in its true bearing of scientific discovery and pure morality, be diffused among those who, unaided, could never hope to have their fortunes improved by the former, or their conduct amended by the latter.

To fix and arrange the numerous useful facts and suggestions which almost daily meet the eye of the general reader, in newspapers, magazines, scientific and literary essays, and to embody them in a cheap form, would be of incalculable value to a large class of the industrious poor, engaged in common labor, and the mechanical arts. In this way, the association would become an active and efficient society for diffusing useful knowledge, or at least necessary agents to such a society, by placing information directly in the hands of those who most require it, and yet to whom it is most difficult of access.

Various are the subjects to which the attention of the actively benevolent is here directed, and for giving efficiency to which their assistance is solicited, it is, however, still apparent, that all difficulties might be readily surmounted by a suitably devised plan of concerted operations. Success in the works of benevolence, as well as in those of art, is best insured by division of labor. If the number of agents be great, the work which, by its magnitude, would alarm one of the few, becomes light and easy of fulfilment in the hands of many.

To minister relief with advantage to the poor, the distressed and the ignorant, requires of those who engage in so good a cause, a knowledge of the character of the persons to be aided and benefited. Hence the necessity of the benevolent rich, and of those in easy circumstances, holding more frequent intercourse with the poor and needy, in order by a patient examination of their discourse, to be able to ascertain their real sentiments. The friend of the poor must be accessible, either by having his own house always open, or, what is preferable, by giving them the assurance that he will be a regular visitor at their's. Vicinity is of course important for the purpose of direct supervision of the habits of this class of people, and of being able to render them assistance adapted to their situation and peculiar wants at the time. With the view of obtaining these advantages, it is proposed to divide the City and Liberties into small districts, in each of which will be found members of the proposed association, ready to act as visitors in conformity with a plan of operations to be agreed upon between them and a board of managers. By this arrangement the wants of the really suffering and the indigent can be promptly and effectually relieved, while the attempted deceptions of the unworthy, and the loud claims of the sturdy pauper will be prevented, or treated at their just value. Benevolence thus directed will bring a double blessing on those who give as well as on those who receive, without its incurring the too often well founded charge of fostering idleness and encouraging dependence.

The board of managers will make itself the depository of all the information and means of relief which shall be placed at its disposal, either by individual liberality, or by benevolent societies—such as short practical essays and discourses on temperance, morals, domestic economy, and mechanics—also, such articles as are best calculated to be serviceable for clothing and household furniture, and, on particular emergencies, of food. The subsequent distribution of these various articles will be made by the visitor to the persons and families whom their own personal observation and experience shall satisfy them are worthy of their bounty. The board of managers will also consider it a part of their duty to ob-

tain the rates of wages in all manufacturing establishments and in the various mechanic arts, throughout the state,—also, the wages of agricultural labour; and have copies of these rates transmitted at suitable intervals to the resident visitors of the districts, in order that accurate information on these important matters may be at any time communicated to the healthy pauper, or the industrious labourer and mechanic, who happens to be thrown out of employment.

Experience shows that direct pecuniary donations by alms-giving, is not unfrequently a premium to indolence and pauperism. Very different results, however, have been observed by the loan of small sums of money for specific purposes; such as to enable an individual to purchase tools or materials of prime necessity for his business, or even to meet unforeseen and sudden domestic wants. Relief afforded in this way, does not depress the spirit nor destroy a feeling and love of independence, or at least of reliance on his own industrious exertions. It would come also with greater effect from the Association, because with a due knowledge of the party and of the circumstances requiring it. The person or family thus relieved, being also constantly under the eye of the visitors in their districts, will be reminded of their obligations, and feel more the imperative necessity of discharging it, than if they had been the subject of individual bounty.

We are also taught by experience, that more real kindness is conferred on the destitute, by the gift of a necessary article, either of clothing or of household furniture, than by a grant of money for the same purposes: the first may be tendered and received as a present of friendship—the latter is more liable to be considered as alms-giving. The article wanted can also in general be obtained of a better quality and on more reasonable terms by a friendly visitor, than by the poor themselves, whose necessities are often speculated on by the avaricious and unfeeling.

In all these matters, the managers can take such steps, as practical acquaintance with the necessities of the poor, and the best means of relieving them, shall point out. In this duty, it is very obvious that they will be greatly aided by the knowledge furnished by the visitors of the different districts.

Of the general propriety of the preceding views and suggestions, little difference of opinion can prevail. But let us add, that their practicability has been tested by the experience of other communities. We would especially advert to the success of the celebrated Dr. Chalmers, in Glasgow.

In an enterprise so extensive in its scope, and beneficial in its objects, as that, the leading features of which have just been given, the Association would look with confidence for the countenance and support of all classes, from those clothed in official authority, to the humblest citizen of the commonwealth. An appeal is now made to the truly patriotic, without reference to party politics; it is made to the christian and the moralist, with a promise of entire freedom, in the proceedings of the Association, from religious sectarianism, or speculative ethics. Neither by its constitution, nor by the acts of its members or agents, will it arrogate the rights of doctrinal teachings or the slightest interference with the province and duties of the responsible religious advisers of the persons who are benefitted by its benevolent efforts. (Signed)

PHILIP GARRETT,  
M. P. COPE,  
JOHN BELL, M. D.  
JAMES J. BARCLAY,  
CHARLES EVANS,  
EDMUND J. YARD,  
THOMAS BOOTH,  
THOMAS ROGERS,  
JOHN HALL,  
EDMUND MORRIS,  
CASPER MORRIS, M. D.  
Committee.

From the Germantown Telegraph.

#### GERMANTOWN RAIL ROAD.

At a meeting of the inhabitants of Bristol township, held pursuant to Supervisor's notice, on Monday the 17th inst., at the house of Jonathan Childs—SILAS WILSON was called to the chair, and WILLIAM WISTER appointed Secretary.

The meeting being organized, the Supervisors stated, they had written to the President of the Philadelphia, Germantown, and Norristown Rail Road Company, in the early part of September last, respecting the viaduct crossing Fisher's lane, to which communication, they had received no reply.

And it appearing to this meeting, from the best information we can obtain, that it is the intention of the Company to build the viaduct but twenty feet wide, which would not insure a safe and sufficient passage under the same as by law required—therefore

*Resolved*, That the Supervisors be, and they hereby are instructed, to demand from the Rail Road Company, such passage both for carriages and foot passengers, as shall be deemed fully sufficient by the said Supervisors; and in case the same shall not be accorded, that they proceed according to law, for the removal of obstructions and nuisances in the highway.

*Resolved*, That the proceedings of this meeting, be signed by the chairman and secretary, and published in the Germantown Telegraph.

SILAS WILSON, *Chairman*.

WILLIAM WISTER, *Secretary*.

At a numerous and highly respectable meeting of the inhabitants of Germantown township, held pursuant to Supervisor's notice, at William Bowen's Inn, on Monday afternoon, the 17th inst., to take into consideration the adoption of such measures in regard to the Philadelphia, Germantown and Norristown, Rail Road, crossing the public lanes, in said township, as would authorize the Supervisor to pursue such a course as would be most conducive to the preservation of the privileges of said lanes—

CHAS. J. WISTER, Esq., was called to the chair, and P. R. FREAS, appointed Secretary.

The object of the meeting being stated by the chairman, from sundry papers furnished, it was on motion resolved, that the papers in question, be referred to a committee to consist of seven persons for consideration and report—whereupon Reuben Haines, Dr. William Runkel, Jacob L. Wunder, Dr. T. Ashmead, Jacob Derr, sen., Dr. Samuel Betton and Benjamin Sharpnack, were appointed for that purpose—who, upon due deliberation, submitted the following resolution, which was adopted:

*Resolved*, That agreeably to the statements of the Chief Engineer of the Rail Road, it is inexpedient to construct a firm and permanent viaduct over the lanes of this township, with a span to exceed 22 feet, including a foot-way for passengers; that the Rail Road Company pledges itself to construct viaducts with a passage for carriages, of 18 feet, and a good and sufficient arched way raised and well guarded for foot passengers of 4 feet, exclusive of water courses; and that it is the opinion of this meeting, that such viaducts will not materially impair the privileges of said lanes.

*Resolved*, That the proceedings of this meeting, signed by the Chairman and Secretary, be published in the Germantown Telegraph.

CHARLES J. WISTER, *Chairman*.

P. R. FREAS, *Secretary*.

From the Schuylkill County Advertiser.  
LEWISBURG, PA.

This beautiful and flourishing town is situated in Union county, on the west bank of the West Branch of the Susquehanna, about seven miles above Northumberland, and sixty above Harrisburg. Though it was reg-

ularly laid out as a town at an early period of the settlement of that part of the country, and continued to be a place of considerable business, yet, on account of the titles to lots being held in dispute, for many years, it improved but slowly. This dispute however was a few years since settled, favourably to the town, since which time it has grown with astonishing rapidity. It now contains a population of about eight hundred inhabitants, and probably about two hundred houses, of which those last erected are principally of brick. There are in it a grist and saw mill, two churches, two or three school houses, and three large commodious store houses, situated immediately on the bank of the river, also twelve stores and two extensive tanneries.

Lewisburg is the depository of the products of several rich and fertile vallies, viz. Brush, Penns and Buffalo; the last, in which Lewisburg, is situated, and which has long been distinguished for its beauty, amplitude and fertility, extends about twenty miles westwardly from the West Branch, to Jack's mountain, and is watered by Buffalo creek, (besides many smaller streams) which empties its waters into the river a little above Lewisburgh, where there is a substantial bridge erected across it. The bridge across the river here, is perhaps the most permanent, as well as beautiful of any on the Susquehanna, and, leading directly from the end of main street to the Northumberland shore, adds greatly to its beauty and convenience as well as to its business. The cross-cut, or water communication, from Lewisburg to the West Branch division of the Pennsylvania canal, in accordance with an act of the last session of the legislature, has been commenced, and will undoubtedly soon be completed. This is to be accomplished by making a dam, not to exceed two and a half feet across the river, and a canal half a mile in length, with one lock at its junction with the Pennsylvania canal. A turnpike road commences at the Lewisburg bridge, and, leading through Mifflinburg and Hartleton, intersects the Bellefonte and Lewistown turnpike. The market at Lewisburg is equal, if not superior, to that of any place of equal population in the state. The delicacy of a variety of the finest of fresh fish, which are taken here in tolerable abundance, invites a visit from the epicure. Its inhabitants are plain, respectable and industrious, many of whom, by dint of these acquisitions, have obtained a competency. Considering its present flourishing state, with its peculiar advantages, the water, the bridges, the turnpike road, the extensive and fertile country in which it is situated, together with the enterprise and industry of its citizens, there is every reason to induce the belief, that Lewisburg is destined to become a large and important place.

A LATE VISITER.

#### IMPROVED SAW MILL.

A few days ago we took a pleasant ride, in company with several gentlemen, to view the saw mill lately erected on an improved principle, by our scientific neighbor Joseph Strode. The invention is one which, while it does honor to the talents of Mr. Strode, is a valuable acquisition to mechanical science. In the application of water power, it holds a decided superiority over the most approved machinery heretofore in use. The saving of water, an object of the first importance in most establishments, is very great. The power to perform is not decreased, and the expenses of original construction of the new wheel, and its liability to accident, are greatly diminished. The experiments that have been made in numerous instances, where mills have been erected on the newly invented plan, have proved highly satisfactory to all parties. Possessing such decided advantages over the common flutter or water wheel, we have but little doubt the invention will prove a very valuable one to the community, and needs only to be understood to be generally patronized. Several mills upon this plan, already erected in this



and the adjoining states, are now in successful operation, and applications are frequent to increase their number.—*West-Chester Republican*.

Availing ourselves of the opportunity, we visited with great pleasure, a collection of paintings, consisting of portraits, landscapes, &c. from the classical pencil of *Miss Esther Strode*. As an artist, we may safely say, Miss S. promises to become a brilliant ornament to our country. To the possession of superior native talents, she has added the highest cultivation. She studied with much reputation under N. Gie, the celebrated portrait painter of Philadelphia, and it is no detriment to that eminent artist, to assert that the pupil is worthy of her distinguished tutor. Miss Strode possesses a peculiar and delicate richness in her style of painting, which we have seldom seen equalled—and her likenesses are true as nature's self.—*Id.*

### HON. WILLIAM JONES.

**DIED**—At Bethlehem, Pennsylvania, on the 6th September last, in the 70th year of his age, **WILLIAM JONES**, Esq. late Collector of this port.

The deceased was a native of this city, and took an early and active part in our revolutionary struggle.—When about sixteen years of age, he joined a volunteer company, commanded by Captain Fitzsimmons, and he was present at the battle of Trenton and Princeton, suffering all the hardships of a winter campaign.

He afterwards served on board of various armed vessels, during the revolutionary war.

He was once severely wounded, and twice made prisoner, during that eventful contest.

He was Lieutenant with Commodore Truxton, in the *Saint James*, of twenty guns, when she encountered and beat off a British ship of war, greatly her superior in force: for his conduct in which action, Captain Truxton spoke in high terms of the subject of this notice.

After the close of the war, Captain Jones entered the merchant's service; in which profession he continued until the year 1793, when he settled in Charleston, S. C. from whence he removed to this city, in the year 1793.

He represented this city in the Congress of the United States, during the years 1802 and 1803; but finding the duties of that station, to interfere with his business, he declined a re-election.

He was Secretary of the Navy, during Mr. Madison's administration. He was afterwards appointed President of the Bank of the United States.

The last public situation he held, was that of Collector of this port.

Shortly after the general government was removed to Philadelphia, Captain Jones made the acquaintance of Mr. Jefferson, and approving of his public policy, he became a zealous supporter of the public measures of that illustrious statesman.

All parties, however, bore testimony to the purity of his patriotism, and to the integrity of his principles. Although the deceased was extensively engaged in commercial affairs, he always found time to devote to science and literature.

He was nearly twenty-six years a member of the American Philosophical Society, and he furnished that learned body with many valuable communications.

In the social circle, and at the domestic fireside, he diffused joy and cheerfulness to all around.

In the day of adversity, he was the firm, unshaken friend. Within two years previous to his death, he lost the companion of his bosom, after having lived together nearly half a century, a model of conjugal affection.

Captain Jones had no children, but he has left numerous relatives and friends, who mourn his irreparable loss—who cherish a lively recollection of his virtues, a profound gratitude for his services, and in whose affections his memory will forever remain embalmed.

### DESCRIPTION OF THE LEHIGH WATER GAP.

The Lehigh gap, in Lehigh township, Northampton county, Pennsylvania, about seventy miles north-west of Philadelphia, is an opening in the blue ridge, a branch of the great Allegheny mountains; so called from the river Lehigh, which winds its course through this narrow passage, and with the steep heights on both sides, forms here one of the most picturesque prospects in the state. That beautiful little river, which in its course, through a fertile country, receives numerous tributary rivulets, and at length empties into the Delaware at Easton, flows through the Gap, in a gentle, but majestic stream, deeply shaded by the reflection of the impending mountains.

The eastern bank is bordered for the distance of about a mile by craggy cliffs, towering to an amazing height, and of forms the most bizarre, between which wall of rocks and the river the road winds along. Hastening to leave these black abodes, which seem to afford shelter to none but the ravenous beasts of the forest, the Lehigh appears eagerly moving on towards the fertile low lands which succeed in view on the western bank. Ascending the eastern height, the traveller is amply rewarded for the exertion of climbing from rock to rock, in scaling the pine covered side of the mountain, by the rich and extensive prospect which the eye there commands. At his feet the waters of the majestic stream; on the opposite side a towering ridge, near the summit which appears, right opposite, emerging from the surrounding woods, a lonely pile of rocks, whimsically styled the Devil's Pulpit, which indignantly suffers but a few blasted pines to shade its sullen brow; at a distance an extensive country, variegated with woods and farms, watered by the meandering Lehigh, and ridge retiring behind ridge, till lost in the faint tints of the horizon—all burst upon the sight, and fill the mind with sublime ideas of the greatness of the Creator. The traveller may procure refreshments at the house marked in the view as standing in the Gap.

The shattered rocks thrown together in wild confusion, and the frequent layers of round stones, which are found in the Gap, have given rise to the supposition that the Lehigh being obstructed in its course by the Blue Ridge, was formerly dammed up into a lake, which at length bursting the barrier, formed the chasm now called the Lehigh Gap. Let the learned decide the question, if of importance.—*Atkinson's Casket*.

On Wednesday evening the 12th ult. a boat arrived at this place from Nanticoke, via. the North Branch Canal, laden with shingles, bed-posts and cheese. This we believe is the first boat which effected a passage through, from Nanticoke to Danville, and it would have proceeded further, but the levels between this and Northumberland are not yet sufficiently supplied with water to float a loaded boat; consequently the owners sold their shingles for what they would bring here, stored their bed-posts, peddled off their cheese at a low price, and returned home.

If the water is not drawn off, and no accident occurs the North Branch Division will be navigable the whole distance, after this week.—*Beaver Republican*.

**FINE GRAPES**—Several wagon loads of delicious Pennsylvania Grapes lately were exposed for sale in Market str't, between Eighth and Ninth. They were the product of a vineyard of Mr. Amos Garrett, of London Grove Township, Chester county. The vineyard occupies an acre of ground, and has been three years in cultivation. The crop of the present year is the first, but it is liberal, and the grapes are very fine. We are glad to learn, that many of our citizens evidenced their satisfaction at this agricultural enterprize, by purchasing liberally of Mr. Garrett, who we trust will fully and profitably succeed in rendering his vineyard valuable.—*Inquirer*.

*The Meteor.*—A very brilliant meteor exploded to the north, or north-west of this on the night of the 11th inst. about twelve minutes past eleven o'clock, succeeded by a heavy report, which shook the earth very sensibly. A bright flash of light was seen to burst in at the windows, and in a few seconds was followed by a loud report resembling distant thunder or the report of artillery. The light was very intense, and would have enabled one to discover the minutest article upon the floor. It was witnessed by two of our family, particularly, who had not yet retired to bed. A friend in Shippen, (about ten miles west of this,) informs us that he was walking homewards at the time mentioned above, when, suddenly, the ground became enlightened, like noon-day—on looking up he saw a broad flame, more brilliant than he ever before witnessed, coursing its way from the northwest to the north, in a descending direction. When nearly to the northern point it vanished and all was darkness—in a few seconds from this he heard a loud report in the direction in which the meteor disappeared, which very sensibly shook the earth—he thinks at the time of the light, he heard a low, hoarse rumbling noise in that direction, but in that he may have been deceived. The report was heard by many people in this neighborhood, and all join in corroborating the above statement; some thought it the report of a cannon—others an earthquake—and some thunder, but no clouds we believe were to be seen above the horizon.

It may be observed for the benefit of the philosophical reader, who will enquire for causes, that the night was very cold and frosty, and that for several mornings previous the earth in this vicinity had been covered with a very white frost.—*Wellsborough Phoenix.*

**UNIVERSITY OF PENNSYLVANIA.**—At an adjourned meeting of the Trustees, held October 21, 1831, the following report was made, and the resolution attached thereunto adopted, with instructions to the Secretary to communicate a copy of the same to Professor Physick, and to the Medical Faculty.

*University of Pennsylvania, Oct. 21, 1831.*

The Committee to whom was referred, on the 14th inst. the resolutions of the Medical Faculty, respecting the resignation of Professor Physick, fully coinciding with the views and feelings expressed by the Faculty, beg leave to recommend to the Board of Trustees the adoption of the following resolution:

*Resolved,* That in consideration of the important services rendered to the Medical Department of the University by Professor PHILIP SYNG PHYSICK, in the chair of Surgery, as well as of Anatomy, during a period of twenty-six years, and for the purpose of continuing his connexion with the School, to the fame and usefulness of which he so largely contributed, there be conferred on the said PHILIP SYNG PHYSICK, the honorary appointment of Emeritus Professor of Surgery and Anatomy in this University.

From the minutes.

• (Signed,) JAMES C. BIDDLE,  
Secretary, &c.

LEWISTOWN, October 15th.

*Deer.*—It has been remarked by several gentlemen with whom we have conversed, that these finely flavored animals, were never known to be so numerous in this county, [as they are at the present season; to which we can add our own experience. On one occasion, when on an excursion of pleasure, on the mountains, having a few good trail dogs along, we witnessed them in pursuit of eight Deer in one gang. It was a pleasing and beautiful sight. We have it from a gentleman of Centre, where the deer formerly were very numerous, that they are very scarce this fall.

The merit of a communication always follows a P. S. Two Bears were killed, one on Thursday and the other on Friday last, by two persons of this place.—*Gazette.*

Franklin, Sept. 20, 1831.

**EMIGRATION.**—Messrs. Riley and Scott, of the city of New York, own a large body of land in the upper end of this county, and extending into the south west corner of Mercer county. A great accession of settlers has taken place lately on those lands. We are authorised from an authentic source, to say, that between one and two hundred families of new settlers will be on them next spring, principally from Massachusetts and New Jersey. The tide of emigration is nearly equally rapid to other parts of the county. Almost every day we hear of new settlers. This is as it should be. We have long been satisfied that if the resources of West Pennsylvania were fully developed, they hold out to emigrants much stronger inducements than those of Illinois, &c. westward. We sincerely wish our new and enterprising settlers, health and prosperity.—*Venango Democrat.*

*Wheat* was never more needed in Milton, than at the present time. Not a grain of wheat or a pound of flour can be purchased within the borough—yet, many of our citizens are in distress for want of it. Why do not our farmers thresh out a quantity and supply the demands of the neighborhood?—*Miltonian*

Price of wheat, \$1 12, flour \$5 62½.

## THE REGISTER.

OCTOBER 29, 1831.

We understand that three boats—two of them loaded with flour and whiskey, and one with Lehigh coal, have passed through the Morris Canal, from Easton to Newark—and one boat has arrived at Easton from Newark. The planes were all passed without the least difficulty. This canal passes through the most populous counties of New Jersey—thickly studded with establishments for the manufacture of iron, which will furnish an extensive market for our abundant anthracite coal.

A letter from N. York states, that 6 boats with Lehigh coal, have arrived at Patterson, N. Jersey.

Snow fell in York co. on the 11th inst., and in Huntington co. on the 14th.

The Penn Society celebrated its anniversary on the 24th inst.; and on the same day Job R. Tyson, Esq. delivered the anniversary oration, before the Penn'a Historical Society, which we hope to have the pleasure to lay before our readers.

We have been applied to, by some of our subscribers in the city, to know the reason of their receiving a duplicate number of our paper of the week before last, through the Post Office. In explanation to others, we observe—that extra copies of that number were printed “by the Society for alleviating the miseries of prisons”—and distributed by them to their members—among whom it appears are some of our subscribers.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 19. PHILADELPHIA, NOVEMBER 5, 1831. NO. 201.

## REPORT OF THE ENGINEERS OF THE DANVILLE AND POTTSVILLE RAIL ROAD COMPANY.

[CONCLUDED FROM PAGE 284.]

### ESTIMATE OF COST.

*Mile 1st.*—Commences opposite the south-east end of the Danville bridge, and passes for half the distance on the lower side of the turnpike, on ground gently sloping to the river; the remaining part, after crossing the turnpike is carried on side of Blue hill—some heavy embankment occurs at a small run, and a good deal rock cutting—new turnpike to be formed for ten chains.

4,771 cubic yards of earth excavation,	8 cts.	\$381 68
4,275 do do hard do	15 do	641 25
3,664 do do rock do	62½ do	2,283 75
9,616 do do embankment,	10 do	961 60
4,400 do do do for turnpike,	12 do	528 00
503 perches vertical wall,	90 do	452 70
40 chains grubbing,		124 00
1 culvert of 6 feet chord,		245 00
1 do 6 do (65 ft. long,)		550 00
1 small house to be removed,		20 00
Trenching, and filling with stone for bearing sills	652 cubic yards, at 60 cts.	391 20
1,760 white oak sills, 10 by 12 inch. 7.6 long, notched and laid, at 60 cts.		1,056 00
21,120 linear feet of rails, best yellow pine, 5½ by 9, dressed, jointed, and laid, 8 cts.		1,689 60
21,120 linear feet of iron plates, ½ by 2 inch, weighing 32 tons, at 60 cts.		1,920 00
4 inch spikes,		179 00
Fitting and spiking on plates,		125 00
Castings for turn-outs and ends of plates,		205 00
Stoning horse path, 977 cubic yards, at 35 cts.		341 95
Fencing,		232 00

Total cost of 1st mile, - - \$12,347 63

*Mile 2d.*—Part of this distance continues on side of Blue hill, at a considerable elevation above the turnpike. Rock cutting occurs on some part, with steep hill side: the rest of the distance on favourable ground of moderate slope.

8,160 cubic yards of excavation,	12 cts.	\$979 20
7,500 do do do	15 do	1,125 00
1,500 do rock excavation,	62½ do	937 50
1,724 do loose rock	40 do	689 60
4,000 do embankment,	10 do	400 00
5,340 do excavation,	10 do	534 00
46 chains grubbing,		204 00
1 four foot culvert,		90 00
3 cross drains and fencing,		360 00
Superstructure of rails, horse-path, &c. as per mile 1st,		5,907 75

Total cost of 2d mile, - - \$11,227 05

*Mile 3d.*—Continues on similar ground for thirty chains, it then passes on woody hill side of Logan's run, of moderate slope; most of the excavations easy—some embankment at crossing of two runs occurs.

5,952 cubic yards of excavation,	9 cts.	\$535 68
7,401 do do do	8 do	592 08
660 do rock do	50 do	330 00
8,983 do embankment,	15 do	1,347 45
64 chains of grubbing,		192 00
1 bridge over turnpike,		250 00
2 culverts, 6 feet chord each,		750 00
Superstructure, &c.	-	5,907 75
Fencing,	-	155 00

Total cost of 3d mile, - - \$10,059 96

*Mile 4th.*—Twenty-nine chains continues on hill side in woods—crossing a branch, an eight foot culvert, and considerable embankment are required. The line then passes through the farm of P. Vastine, on good ground.

9,592 cubic yards of excavation,	10 cts.	\$959 20
5,676 do embankment,	11 do	624 36
5,531 do do	12 do	663 72
37 chains of grubbing, one 8 foot culvert, and one 6 foot do	-	811 00
Superstructure, &c.	-	5,907 75
Fencing,	-	265 00

Total cost of 4th mile, - - \$9,231 03

*Mile 5th.*—Passes through open woods, and the farms of L. and I. Vastine; at forty chains it reaches the meadow ground adjoining the run, over which it is carried by embankment the remaining part of the distance—a new channel to be formed.

2,196 cubic yards of excavation,	8 cts.	\$175 68
2,552 do embankment,	9 do	229 68
10,930 do do	10 do	1,093 00
22 chains grubbing,		70 00
4 cross drains and 1 culvert of 4 ft. span,		180 00
Superstructure, &c.	-	5,907 75
Fencing,	-	512 00

Total cost of 5th mile, - - \$8,168 11

*Mile 6th.*—The principal part of this mile continues on meadow and wood land. The last 40 chains include the inclined plane, ascending Shamokin hill—heavy embankment is required for the graduation.

19,320 cubic yards of embankment,	10 cts.	\$1,932 00
32,492 do do	17 do	5,523 64
32 chains grubbing,		96 00
3 culverts of 4 feet chord each,		340 00
3 under drains,		75 00
Superstructure, &c.	-	5,907 75
Friction rollers and fixtures on plane,		300 00
One steam engine and building,		7,000 00
Machinery, gearing, and rope,		3,300 00
Fencing,	-	256 00

Total cost of 6th mile, - - \$24,730 39

*Mile 7th.*—This distance comprises sixteen chains of level on side of the hill—the deep cutting at the summit, and the two inclined planes descending to Shamokin creek. The greatest depth of cutting will be 45 feet, at the apex of the hill—a considerable portion of rock will be encountered. The first plane will be formed principally on side hill; on the second plane some heavy embankment will be necessary. At the end of this mile the junction with the Sunbury line is formed.



30,531 cubic yards of excavation,	22 cts.	\$6,716 82
12,772 do rock do	75 do	9,579 00
1,408 do do do	10 do	140 80
3,560 do do do	9 do	320 40
556 do embankment, 10 do		55 60
49,248 do do 12 do		5,909 76
53 chains grubbing,		159 00
2 four foot culverts,		350 00
1 bridge over public road at Campbell's,		200 00
1 do Shamokin creek,		1,800 00
Superstructure of rails, &c.		5,907 75
Friction rollers, &c. for two planes,		400 00
Machinery at head of planes,		1,300 00
Rope, weighing 18,642 lbs.	12 cts.	2,237 04
Buildings for keepers,		600 00
Fencing,		135 00

Total cost of 7th mile, - - - 35,811 17

*Mile 8th.*—Passes through bottom land of Shamokin creek, with embankment for some distance—then is carried on favourable ground past Reid's brick house, and terminates at a slate bluff at edge of creek: here requiring some wall. Reid's old house to be removed.

11,043 cubic yards of embankment,	7 cts.	\$773 01
5,476 do do do	12 do	657 12
928 do excavation,	9 do	83 52
1,528 do slate do	20 do	305 60
571 perches of slope wall, <del>etc</del> 1 doll.		571 00
24 chains grubbing,		64 00
2 cross drains,		40 00
1 house to be removed,		300 00
Superstructure, &c.		5,907 75
Fencing,		400 00

Total cost of 8th mile, - - - 9,102 00

*Mile 9th.*—Part of this distance, the line is traced at at foot of hill on good ground; it then passes on moderately sloping ground, and after some cutting terminates above Hughes' mill.

5,080 cubic yards of excavation,	8 cts.	\$406 40
7,502 do do do	11 do	825 22
1,450 do hard pan do	13 do	188 50
200 do rock do	50 do	100 00
3,764 do embankment, 10 do		376 40
3,872 do do 8 do		309 76
43 chains grubbing,		63 00
2 cross drains,		25 00
Superstructure, &c.		5,907 75
Fencing,		500 00

Total cost of 9th mile, - - - 8,502 03

*Mile 10th and 40 chains.*—This distance terminates about half a mile above Stambach's, and includes ground generally favourable for the line. Some extra work is, however, encountered by the interference with the turnpike in the last thirty chains.

7,223 cubic yards excavation,	10 cts.	\$722 30
1,952 do do do	9 do	175 68
1,897 do do do	12 do	227 64
350 do rock excavation,	50 do	175 00
300 do loose rock do	40 do	120 00
3,249 do embankment,	8 do	259 92
2,728 do do	11 do	300 08
5,883 do do	13 do	764 79
49 chains grubbing,		157 00
1 culvert of six feet span,		250 00
1 do four do		170 00
1 cross drain,		20 00
Superstructure &c., 120 chains, at \$5,907 75		
per mile,		8,861 62
Fencing,		256 00

Total cost of 10th mile and 40 chains, - - - \$12,460 03

## BRANCH LINE FROM SUNBURY.

*Mile 1st*—Commences opposite Dewberry street in Sunbury, and passes down on the bank of the river. The line then is carried with moderate excavation and embankment through the town, principally on open ground. In passing the lots back of the town, considerable embankment is necessary.

904 cubic yards excavation,	8 cts.	\$72 32
3,500 do embankment, 15 do		525 00
19,467 do do 10 do		1,946 70
1 bridge over gut,		350 00
6 cross drains,		125 00
3 small houses to be removed,		200 00
Superstructure, &c.		5,907 75
Fencing,		410 00

Total cost of 1st mile, - - - \$9,536 77

*Mile 2d.*—In this mile the line passes round the hill bounding the creek valley, where some extra cutting occurs—thence it is carried by a moderate embankment, over the flats of Shamokin creek, crossing that stream and little Shamokin by bridges.

20,544 cubic yards excavation,	12 cts.	\$2,465 28
732 do do 7 do		51 24
16,592 do embankment, 10 do		1,659 20
16 chains grubbing,		58 00
1 bridge over M'Carty's mill race,		75 35
1 do Shamokin creek,		1,913 00
1 do Little Shamokin creek,		457 00
Superstructure, &c.		5,907 75
Fencing,		512 00

Total cost of 2d mile, - - - \$13,098 82

*Mile 3d.*—Runs principally at foot of hill slope, road formed by excavation; remaining part of the mile crosses the creek again, with some filling on bottom land, and ends at H. Bucha's farm.

10,068 cubic yards excavation,	10 cts.	\$1,006 80
600 do slate rock do	25 do	150 00
2,582 do excavation,	14 d	361 48
6,888 do embankment,	8 do	551 04
60 chains grubbing,		140 00
1 culvert of 4 feet span, and 2 drains,		110 00
1 bridge over creek,		1,800 00
Superstructure, &c.		5,907 75
Fencing,		256 00

Total cost of 3d mile, - - - \$10,283 07

*Mile 4th.*—This mile is located on ground requiring some extra cutting and embankment at Bartscher's place

8,944 cubic yards excavation,	10 cts.	\$894 40
2,804 do do do	11 do	308 44
9,016 do embankment,	9 do	811 44
9,016 do do 8 do		721 28
16 chains grubbing,		32 00
1 bridge for water way on creek flats,		150 00
1 do run at Bartscher's,		120 00
Superstructure, &c.		5,907 75
Fencing,		512 00

Total cost of 4th mile, - - - 9,457 31

*Mile 5th.*—Passes over good ground through farms of Martz and Gline.

6,584 cubic yards excavation,	8 cts.	\$526 72
3,676 do do	10 do	367 60
5,040 do embankment,	9 do	453 60
7 chains grubbing,		28 00
2 culverts of 4 feet chord,		235 00
Superstructure, &c.		5,907 75
Fencing,		512 00

Total cost of 5th mile, - - - \$8,030 67

*Mile 6th.*—Continues on similar ground, partly over bottom land, and partly on slope of hill, and some slate excavation.

8,910 cubic yards embankment,	9 cts.	\$801 90
2,038, do do excavation,	8 do	164 64
1,776, do do do slate,	25 do	444 00
5,698, do do embankment,	10 do	569 80
2 culverts, 4 feet chord,	-	210 00
2 cross drains,	-	20 00
Superstructure, &c.	-	5,907 75
Fencing,	-	512 00
Total cost of 6th mile,		\$8,630 09

*Mile 7th.*—Passes through land of Moore and Everet on good ground.

6,520 cubic yards of embankment,	8 cts.	\$521 60
2,400 do do do	9 do	216 00
4,180 do do excavation,	11 do	459 80
300 do do slate,	25 do	75 00
41 chains grubbing,	-	123 00
1 four foot culvert,	-	100 00
2 under drains,	-	40 00
Superstructure, &c.	-	5,907 75
Fencing,	-	512 00
Total cost of 7th mile,		\$7,955 15

*Mile 8th.*—This mile passes in part over a bend of the creek, requiring a new channel for water to be formed, and considerable embankment, with some walling. The remaining distance continues on creek bottoms, with moderate embankment.

16,238 cubic yards embankment,	10 cts.	\$1,623 80
4,888 do do do	7 do	341 16
8,310 do excavation new channel	10 do	831 00
710 perches of slope wall,	1 doll.	710 00
43 chains grubbing,	-	130 50
1 culvert of 4 feet span,	-	120 00
Superstructure, &c.	-	5,907 75
Fencing,	-	460 00
Total cost of 8th mile,		\$10,124 21

*Mile 9th.*—Half of the distance passes over land opposite to Snyder-town, requiring very little work. The remaining distance is carried over Jones' bottom land, with 4.50 feet embankment.

3,448 cubic yards excavation,	7 cts.	\$227 00
928 do do do	8 do	74 24
15,872 do do embankment,	10 do	1,587 20
15 chains grubbing,	-	45 00
2 culverts of 4 feet span each,	-	220 00
Superstructure, &c.	-	5,907 75
Fencing,	-	400 00
Total cost of 9th mile,		\$8,461 55

*Mile 10th and 52 chains.*—Some extra cutting occurs in this distance at Hoover's, and other places. The line is generally on foot of hill side, fronting bottom land. At the upper end of Moore's farm it crosses the creek, and at six chains joins the Danville line. Duttinger's house and outbuilding to be removed twenty feet.

9,552 yards excavation,	8 cts.	\$764 16
3,712 do do do	10 do	371 20
7,516 do do do	12 do	901 92
3,632 do embankment,	10 do	363 30
4,320 do do do	8 do	345 60
1,404 do slate excavation,	14 do	196 56
24 chains grubbing,	-	56 00
1 bridge over Shamokin creek,	-	2,400 00
1 four foot culvert and 3 cross drains,	-	143 00
1 house and outbuilding to be removed,	-	200 00

Superstructure, &c. 132 chains, at \$5,907 75		
per mile,	-	9,747 75
Fencing,	-	610 00

Total cost of 10th mile, &c. \$16,099 39

*Estimate of the cost of 148 Chains, beginning at the end of the fifth and ending with the 7th mile, Danville Line.*

16,288 cubic yards of embankment,	10 cts.	\$1,628 80
Tunnel at Shamokin Hill.		
Length 2444 feet. Second area,		
132 feet, equal to 11,948 cubic yards,	-	\$2 20
Excavation of shafts, 811 do	-	2 50
Probable arching required,	-	4,500 00
Masonry at ends, 115 perches,	-	2 50
Draining and clearing water,	-	1,900 00
2 Culverts of 4 feet span,	-	200 00
Inclined plane on the Shamokin side, 42,318 cubic yards of embankment,	-	12 5,078 16
Friction rollers and fixtures on rails,	-	260 00
Machinery at head,	-	660 00
Rope, weighing 12,428 lbs.	-	12 1,491 00
Building for Keeper,	-	300 00
3,130 cubic yards of embankment,	10	313 00
Bridges over road and Shamokin creek.	-	2,000 06
Superstructure of rails for 148 chains, in part single track,	-	11,147 24
Fencing,	-	512 00
Total cost of 148 chains,		\$58,591 16

#### SUMMARY.

Mile 1st.	-	\$12,347 63
2d.	-	11,227 05
3d.	-	10,059 96
4th.	-	9,231 03
5th.	-	8,168 11
6th.	-	24,730 39
7th.	-	35,811 17
8th.	-	9,102 00
9th.	-	8,502 03
10th and 40 chains,	-	12,460 03
Mile 1st. Branch line,	-	9,536 77
2d.	-	13,098 82
3d.	-	10,283 07
4th.	-	9,457 31
5th.	-	8,030 67
6th.	-	8,630 09
7th.	-	7,955 15
8th.	-	10,124 51
9th.	-	8,461 55
10th and 52 chains,	-	16,099 39
		\$ 243,316 73
Add for contingencies, superintendence, &c.	-	24,331 67
21 miles 12 chains.—Total cost,	-	\$ 267,648 40
By the Tunnel line,	-	
21 miles.—Total cost,	-	\$ 265,502 96

From the Philadelphia Gazette.

#### PROCEEDINGS OF COUNCILS.

Thursday evening, Oct. 27. 1831.

SELECT COUNCIL.—Mr. DUANE was called to the Chair.

Mr. WORRELL offered the following resolution which was agreed to, and Messrs. WORRELL and MASSEY were appointed the committee.

Resolved, That a committee of two be appointed to examine whether there be any unfinished business lying over by the last Councils, and if so, to report the same to this Council.

Mr. DUANE offered the following resolution which was laid on the table.

Resolved, &c. That the committee on the State House and Independence Square, under whose direction the Hall of Independence is about to be restored, as far as is practicable, to the state in which it existed on the 4th of July 1776, be and are hereby authorised to cause the declaration of independence with the signatures thereto, to be engraven upon a plate of brass, in all respects as closely as is possible, in the style of the original writing, and to cause the plate so prepared, to be inserted as a panel or otherwise in the most appropriate part of the Hall of Independence.

Mr. PETTIT offered the annexed resolution, which was passed by both Councils, and Messrs. PETTIT, JOHNSON, WETTERILL, and LEHMAN were appointed the committee.

Resolved, That a joint committee of two members of each Council be appointed to consider and report whether any, and if any, what measures ought to be adopted relative to the subject of a revision of "The Ordinances of the Corporation of the City of Philadelphia, and the Acts of the Assembly relative thereto"—in pursuance of the recommendation of Mayor, made on the occasion of his entering on the duties of his office.

Mr. JOHNSON offered the annexed resolution which was postponed for the present.

Resolved by the Select and Common Councils, That so much of resolution passed by Councils, as directs the door of entrance to the State House, to be restored to its original finish, be and the same is hereby rescinded.

COMMON COUNCIL.—Mr. HOOD presented the subjoined Petition, from Messrs. Hollingshead, Platt, & Co. which was referred to a special committee of three members of each Council, and Messrs. Hood, Horn, Moss, Neff, Lippincott and Johnson were appointed the committee.

*To the President and members of the Select and Common Councils.*

GENTLEMEN—We made an application to the last Councils, in relation to the improvement of Clifford's Alley, between Market and Arch streets, which was not finally disposed of. If you will refer to the application you will see that we did not ask Councils to surrender any city rights, or privileges, but merely wished to promote an improvement, in which the public as well as ourselves are interested.

Our property is situated on the North side of the said alley; Mr. Girard owns on the south side, and his wharf extends into the river about 40 feet beyond ours. It is our intention to apply to the Wardens for permission to extend our wharf as far out as his only, wishing to enjoy our just rights, without prejudice to the rights of others. To make the improvement perfect, the Alley which separates the two wharves should be included, as has been done in the square below, this would greatly promote the public convenience, remove a nuisance, and add to the value of the city property.

We contemplate building a handsome block of stores on the north side of the alley, which will very much improve the appearance of that part of the city front, but cannot do so, either with advantage to ourselves, or to conform with Mr. Girard's line of stores south of it, unless Councils will consent to the extension of the wharf at the foot of the alley.

We therefore most respectfully ask Councils to take the subject into further consideration, and submit the following proposition:

1st. We will improve the alley east of the line of stores, extend the wharf with our own, (when permission can be had from the Wardens) and build a proper culvert to take off the water, under the directions of Councils, and at our own expense, the public reserving all its rights to the alley, but allowing us to make use of the end of the wharf.

2d. If Councils will make the improvement in conjunction with us, we will allow them 6 per cent. per annum on the cost for the use of the same, or we will col-

lect the wharfage and pay over to them their pro-rata proportion, free of any charge for collection, or

3d. When the improvement shall have been completed by Councils, they can then receive proposals and ascertain who will give most for the use of the wharf.

Our object is to have the alley and the wharf (now useless and a nuisance) properly improved, so as to be enabled to improve our own property in such a manner as will conduce to the convenience and advantage of the public as well as our own.

Most respectfully your obt. servants,

HOLLINGSHEAD, PLATT & Co.

*Philadelphia, Oct. 19, 1831.*

The Petition of STEPHEN GIRARD, Esq. was referred to the same committee.

Mr. OKIE presented the following Petition, which was referred to a special committee of three members of each Council, and Messrs. Okie, Ryan, Fritz, Horn, Neff and Massey, were appointed the committee.

*To the Select and Common Councils of the City of Philadelphia.*

The Memorialists, citizens of Philadelphia, having seen with much satisfaction, that your honourable bodies have taken into consideration the expediency of preparing the Drawbridge wharves for the use of Steam Boats, take the liberty respectfully to express their opinions and wishes (which they believe to be in entire accordance with those of a large majority of their fellow citizens,) in favor of an early adoption of the measure.

It is confidently expected that no evil or inconvenience can result from a change of the present use of the wharf, and it is considered to be very desirable that the improvement contemplated, which will give an accommodation for Steam Boats unrivalled in this country, and an open access to them through the most spacious avenue leading into the heart of the city, should be undertaken without delay.

*Philadelphia, Sept. 16, 1831.*

Mr. SEXTON presented the annexed Petition from sundry shoe-dealers, which was referred to the committee on markets.

*To the Select and Common Council of the City of Philadelphia.*

GENTLEMEN:—We the undersigned shoe dealers, would respectfully represent to your honourable body, that they for a long time have had their rights infringed upon by a certain class of persons occupying the outer side of the stall in Fourth street market, for the purpose of vending shoes, and thereby taking away a great proportion of the business from your petitioners, who are obliged to incur very large expenses for rent, whereas the above named persons have all the facility of doing business, without paying comparatively any rent, and are enabled to sell by retail, and even large quantities, as much as many who are subjected to pay rents of 12 or 1500 dollars per annum. They therefore respectfully ask your honourable body, to take such order on the subject, as the nature of the case requires, as in duty bound will ever pray.

Mr. HOOD moved that the Common Council do now proceed to the election of a Printer, when Mrs. LYDIA R. BAILEY was unanimously elected.

Communications from the City Treasurer and City Clerk, with their quarterly accounts, were received and referred to the committee of accounts.

The following communication from the City Commissioners was received, and was referred to the committee of ways and means.

City Commissioners' Office,  
October 27, 1831.

*To the President and Members of the Common Council.*

GENTLEMEN:—The City Commissioners respectfully



submit to the Council their printed quarterly report of their expenditures during the third quarter of the current year, ending on the 30th September last, and also the following state of the several appropriations on the 26th inst.

	<i>Appropriated.</i>	<i>Expended</i>
No. 1 New Paving,	\$37,500	\$35,391 21
2 Unpaved streets,	5,000	3,894 95
3 Cleansing the City,	13,800	18,837 88
4 Docks and Sewers,	5,000	19,002 29
5 Lighting and Watching,	43,660	46 858 39
6 Pumps and Wells,	2,700	2,018 65
7 Regulating Ascents, &c.	1,000	768 72
9 Expenses of Offices,	800	588 14
10 Services in the Markets,	550	405 38
11 Incidental expenses of Councils,	100	49 62
13 Repairing over Water Pipes, &c.	11,500	9,126 14
14 City Property,	11,000	7,077 23
19 Purchase of Paving stone for 1832,	1,000	
20 Repairing Footways,	200	44 27
21 Expenses authorised by Councils,	7,800	7,165 59

From the foregoing statement it appears that the following appropriations are overdrawn to the several amounts set opposite to each, as follows:

No. 3, Cleansing the City,	\$5,067 88
From which deduct the credit of this appropriation for the sales of street dirt and horses,	4,627 50
	<hr/> 440 38

No. 4, Docks and Sewers,	\$14,002 29
From which deduct balance not expended Dec. 31, 1830	\$6,584 32
Deducting expended since, charged to 1830,	751 69
	<hr/> 5,632 63
	<hr/> 8,369 66

No. 5, Lighting and Watching,	-	2,198 39
Balance not expended Dec. 31, 1830,	\$5,830 47	
Deduct expended since, charged to 1830	141 33	
	<hr/> 5,689 14	
Deduct amount over-drawn,	3,198 29	

Balance in the credit for the appropriation for 1830 and 1831,	2,490 85
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The large draught on No. 3, cleansing the City, has been owing to the sum expended last winter, for removing snow, and digging out gutters, in pursuance of a resolution of Councils, and amounting, as near as can be estimated, to \$2,261 12. A further appropriation of about \$2,500 will be necessary for this appropriation.

The sum of nearly \$10,746 62 has been expended during the current year for the sewer in Pine st. and is charged to No. 4. Docks and Sewers, for 1831, besides \$670 14, for said sewer, also expended this year, and charged to the same appropriation of 1830. This, together with the construction of the sewer in Tenth street from Sasfras to Vine street,—that in Schuylkill Seventh street from High to Mulberry street,—that in Schuylkill Sixth street, from Spruce to Pine street;—and the large repairs to the sewer in Dock street at and near the corner of Walnut street, have produced the over-draught on this appropriation. To meet this over-draught and to complete those of the above works which are not yet finished, will require an additional appropriation of \$11,000, provided the balance, above stated, of

1830, not expended, be carried to the credit of the Docks and Sewers for the current year. The total expense of the sewer in Pine street, including that of last year, has been \$46,611 59. Some few bills remain unpaid.

The appropriation for No. 5, Lighting and Watching, for 1831, was 43,660 dollars, that for 1830 was 47,260 dollars. This, together with the charging of the sum 900 dollars (being the salary of the police for the first three months of 1831,) to this appropriation, and the purchase of a year's supply of oil, amounting to \$13,214 02, which has been paid, are the causes of the overdraught of this appropriation. If the sum above stated, not expended for this appropriation in 1830, be carried to its credit for 1831, a further appropriation of \$6,000 will be sufficient.

An additional appropriation of \$6,000 will be necessary for No. 1, New Paving, in order to meet the expenses of the paving ordered by Councils, since the original appropriation was made.

The further sum of \$1000 will also be needed for No. 21, Expenses authorised by Councils, in order to meet the additional expenditures ordered by Councils for this appropriation. The expenses of repairing Independence Hall, the purchase of the statue of Washington, and the new furniture ordered for the Council Chambers have been charged to this appropriation.

One thousand dollars may be transferred from No. 14 City Property, and one thousand dollars from No. 19, purchase of Paving Stone for 1832, to the appropriations which are deficient. Owing to the scarcity of paving stone, the Commissioners will not be able to procure any to be charged to the last named appropriation.

The total amount of additional appropriations required according to the above estimate, is twenty-four thousand five hundred dollars.

All which is most respectfully submitted to the consideration of Councils.

By order of the City Commissioners.

ROBERT H. SMITH, City Clerk.

## INDIAN AFFAIRS.

[Continued from page 275.]

After the ending of the Conferences between Scarroyady and some of the people called Quakers. The three Indians, New-Castle, Jiggrea and William Lique, being prepared to set out for Wyoming. The Governor, (who during these Conferences received messages from the Governor of New York) delivered them the following message to be communicated to the Delaware and Shawnee Indians living on Susquehanna.

26th April, 1756.

BRETHREN,—I have received an account from Sir William Johnson, sent me by Sir Charles Hardy, Governor of New York, that immediately after the Council held at Fort Johnson, deputies were dispatched by the six nations at Otsaningo, and that they conveyed the Delawares, Shawnee and other Indians, from the several town on the Susquehanna, to the number of three hundred, to whom they delivered Messages from that Council, blaming them for taking the hatchet against their brethren the English, and commanding them to lay it down immediately, and that they had hearkened to this Message and agreed to strike no more. What I tell you is in this letter (here the Governor gave Mr. Weiser, Sir Charles Hardy's letter of 16th April, to understand to them) and when he had made them to understand what Sir Charles Hardy had wrote, the Governor took a Belt in his hand and proceeded.

Brethren,—I think it necessary that the Indians at Wyoming, as well enemies as friends should know, that Sir Charles Hardy has sent this account to me from Sir William Johnson, and as two of you are of the Six Nations and one a Delaware, I think it proper that you should undertake to notify this to them and at the same

time to let them know as from yourselves, that if they are sincerely disposed to Peace, and will deliver up the English prisoners to the Six Nations, and hearken to their advice, in laying down the hatchet, and abide by such terms as shall be agreed on—you can venture to assure them that though much blood has been spilt and that the English in resentment of this, are well prepared to avenge themselves, yet they have so great regard to the Six Nations, that it will be in their power to persuade the English not to prosecute war, but to accept, fair, just and honorable terms—and I provide you with this Belt, to deliver it to them with such a speech

Brethren,—I speak my own sincere inclinations, when I say I am for Peace, and not only my own but the sentiments of others and particularly the earnest desires of a number of people, who are the descendants of those that come over with the first proprietor, all those are extremely desirous to interpose with the Government to receive the submission of the Delawares, and to overlook what is past, and establish for the future a firm and lasting agreement of Peace and affection between us and have repeatedly applied to me for this purpose.

Brethren,—As many stories have been told to the Indians to our prejudice, I desire you will undeceive and particularly I do charge Wm. Locqueis to acquaint the Delawares, that those of their Tribe, who live among us have not had any mischief done them, but are treated with our usual kindness and are at liberty and live in peace and plenty among us. I charge you William Locqueis to declare the truth to the Indians, and to assure them that they have been imposed on; and relate the care that has been taken as well by the Government of New Jersey as this, of all the Indians, who have stayed with us, and that they enjoy our protection and live as happily as ever. [A String.]

Brethren,—Paxinosa and some other Shawnese and other Indians have not broke faith with us, but endeavoured to dissuade the Delawares from striking us.—When they could not succeed they separated from them, and now live together in some place near Wyoming. I would have you go to them, and let them likewise know this account from Sir William Johnson, and assure them from me, that if they are inclined to come within the inhabitants, you have my orders to conduct them, or if they do not incline to come now but at any other time, they will on sending a message be provided with a safe conduct and meet with a hearty welcome.

Let them know that Scarroady related to me what had passed between him and them, and that Aroas and David have likewise made me acquainted with what was said by them when they were last at Wyoming.

[Then the Governor gave them a string to give to Paxinosa.]

Newcastle, Jiggrea and William Locqueis returned the Governor an answer, viz.

That the messages were very good and what they approved mightily, and would undertake the journey and deliver them faithfully, but then they must desire the Governor would make their apology to Colonel Clapham, and to tell him that nothing but the Governor's commands would have induced them to delay their coming to him.

The Governor promised he would and then told them that Mr. Spangenberg was desired to be present, having some Delaware Indians under his care, that he might hear what was delivered to them. He desired they would go by way of Bethlehem and take with them one or more of the Indians there to accompany them on the journey.

To prevent any misrepresentations of our conduct as well as to engage the friendship of gentlemen from whom we hope to receive more hearty assistance than we had from those on whom we had hitherto depended. Copies of the minutes of our Convention with the Indians and their answers. were immediately sent to the Governor of New York and to General Johnson, and an earnest application for their assistance in engaging the

Indians of the Six Nations to promote the restoration of peace, with an offer of cheerfully defraying the expenses thereof; Governor Hardy was so kind as to send such an answer as evidenced his hearty concern for the public welfare; and laid us under sensible obligations: and we have never received the least hint from General Johnson of his disapprobation of any part of our conduct therein; under these circumstances, we had reason to apprehend that our intention was approved.

*The following are copies of the Letters above mentioned, viz:*

Philadelphia, 25th 4 mo. 1756.

Esteemed Friend,

The generous concern thou hast manifested for the honour of our King, and safety and prosperity of our country, are so well known to many of us, who have not had the pleasure of a personal acquaintance with thee, that I believe it will in this critical juncture be pleasing to thee to be informed the substance of some conferences, I with some of my friends have had with Scarroady and the other Indians who have now just left us and whom I expect thou will soon have an opportunity of seeing.

The frankness and sincerity of their expressions and conduct, leave no room to doubt of their being heartily pleased with meeting some of their old friends here, in whom they can repose confidence, and I hope this disposition may be improved to our mutual lasting advantage. Thou art so well acquainted with these people, and the manner in which our affairs with them have been transacted some years past, that I need not make any observations thereon. The necessity of attending more steadily to cultivating our friendship with them, and removing the occasion of the present animosity some of them have entertained are obvious, and I hope it is not too late to attempt the doing it: If this be neglected and the mistaken views of extirpating them should prevail, I fear the desolation of the finest part of the English dominions will be the consequence of so injudicious and wicked an intention.

Those conferences have been held by the permission of our Governor but the circumstances of our affairs are such, that this seems to be the first step taken here towards the restoration of peace with any prospect of success—it is the act of private persons who are engaged in it on a religious principle, and have both inclination and abilities sufficient to bear the expense, and will cheerfully go through with it, if divine Providence favours our design, and we have no unsurmountable obstructions from such here, who ought to promote it.

Our principal reliance for assistance therein is on thee, the interest thou hast, both with your Governor and with the Indians, will enable thee to do more than any or even many others can, and without the interposition and concurrence of some in whom the Indians can confide, there's no room to expect any permanent peace will be made. If our endeavours succeed we have no doubt of the expense being repaid to us, if not, our fervent concern for our bleeding country and the honest discharge of our duty, will be a sufficient reward to us. This being my sole motive for engaging therein, and taking this liberty with thee, I hope for thy approbation, and as I have desired Daniel Claus the bearer of this to inform thee of other particulars, I shall only add that I am with much respect,

Thy real friend,

ISAAC PEMBERTON.

To Sir William Johnson, at Mount Johnson, by Daniel Claus.

—  
And as Daniel Claus went in the stage boat to New York, and was to attend Scarroady and the other Indians to Albany, which might probably occasion a long delay, an express was sent the next day on purpose to New York with a duplicate of the foregoing and the following letters, viz.

Philadelphia, 26th 4 mo. 1756.

Esteemed Friend,

Considering that Daniel Claus may be detained long on the way home, and that the pressing circumstances of our affairs with the Indians demand the most speedy and vigorous endeavours to retrieve them from their unhappy state. I send the bearer on purpose to deliver thee a duplicate of the Minutes of our Conference with the Indians, and to request thy immediate friendly prosecution of thy endeavours for the public interest, which will be a work truly worthy the most exalted mind, and lay a particular obligation on the people of this province, and for my friends in particular I can answer that they will acknowledge it in the most respectful and grateful manner.

I am with much respect,

Thy assured friend,

ISRAEL PEMBERTON.

To Sir William Johnson, at  
Mount Johnson.

Philadelphia, 26th 4 mo. 1756.

Honoured Friend,

The real concern which I feel day and night for my bleeding country, whose interest is not sufficiently considered and promoted by some who are bound by both sacred and civil obligations to consult its welfare, will I hope plead my excuse for the liberty I take of requesting thy perusal of the inclosed letter for Sir William Johnson, and of intreating that if thou approve of my design and proceedings, that thou wilt add such weight to it as may render it effectual.

The bearer will go forward to Fort Johnson if thou thinks it proper to direct him to do so, if not will return hither.

I am with due respect,

Thy real friend,

ISR: PEMBERTON.

To Sir Charles Hardy, Governor  
of New York, by express.

Governor Hardy's Answer.

Fort George, in the City of  
New York, April 29th, 1756. }

Sir—I have received your letter and papers for Sir William Johnson, which shall be forwarded to him.

I have long lamented the unhappy situation of the back settlements of your Province, whose inhabitants have been most inhumanly murdered, their substance destroyed, and lands laid waste, by a savage and cruel enemy. I have and shall continue to use all the means in my power to accomodate this unhappy breach, and trust some success in it may attend the interposition of the Six Nations, all the influence this Government has with them shall be exerted.

I am Sir,

Your most humble servant,

CHAS: HARDY.

To Mr. Isr: Pemberton.

The Messengers were accompanied from Bethlehem by Augustus, a Delaware Indian residing there, and on their return the 31st of 5th mo., made the following report, viz.

That on their arrival at Wyoming they found the Indians had left the town and gone up the river, they therefore proceeded to Tesogon, where they met with a great number of Indians and informed them they had brought a message, from the Governor of Pennsylvania, and desired a meeting of all their people in that town and near it, which being obtained in two days, they then delivered their message; after which Paxinosas as speaker of their Council, returned the following answer, viz.

*Brethren, the Governor, and People of Pennsylvania.*

The dark clouds overspread our country so suddenly we that have been all at once separated, and that dark

cloud got in between us, and as it has pleased the Most High to dispel it a little, so that we can just see one another again; our eyes are now running with tears, because of the melancholy sight, seeing our country covered with our own blood; (we mean yours and ours) give me leave to wipe off the tears from your eyes, tho' at the same time my own run with tears in abundance for what has passed. [Gave a String.]

Brethren,—As you came a great way and through dangerous places, where evil Spirit's reign, who might have put several things in your way, to obstruct your business, this String serves to clear your mind, and the passage from your heart to your mouth, that you may speak freely to us. [Gave a String.]

Teedyuscung, a Delaware Chief, spoke next.

Brother Onas and the People of Pennsylvania.—We rejoice to hear from you, and that you are willing to renew the old good understanding, and that you call to mind the first treaties of friendship, made by Onas our great friend deceased with our forefathers, when himself and his people first came over here. We take hold of these treaties with both our hands and desire you will do the same, that a good understanding and true friendship may be re-established; let us both take hold of these, with all our strength, we beseech you. We on our side will certainly do it. [Gave a Belt.]

Brother Onas,—What you said to us we took to heart, and it entered into our heart, and we speak to you from our heart, and we will deal honestly with you in every respect. [Gave a String.]

Brother Onas.—We desire you will look upon us with eyes of mercy—we are a very poor people, our wives and children are almost naked—we are void of understanding and destitute of the necessaries of life. Pity us. [Gave a String.]

The Delawares, Memskies and Mohickons to Onas and the People of Pennsylvania.

Brethren,—There is a great number of our people among you and in a manner confined, we desire you will set them at liberty, or rather give them a safe conduct to Wyoming, where we intend to settle as on your fire side, there we will jointly with you kindle a council fire, which shall always burn, and we will be one people with you. [Gave two Belt.]

Brother Onas, and all the people of Pennsylvanias,—We had the misfortune that a great dark cloud overspread our country, but by our prudence, and that of our uncles the Six Nations, it is now almost dispelled and we see the clear heavens again. We the Delawares, the Shawnese, the Mohickons and Memskies, give you this String of Wampum, and desire you, that the bitterness which might have gathered in this dark and unhappy time may be removed, and that you may by this means spit it out, take or accept this as a certain cure for that purpose, and pass by all that is past, and think on your poor foolish brethren with mercy and forget all the evil done to you by them. [Gave several Strings of Wampum.]

Brother Onas,—What our uncles the Six Nations required of us your and their behalf by their delegates at Otsaningo, we that live on the river Susquehanna have agreed to. We have laid aside our hatchet, and will never make use of it any more against you or your brethren the English, all our young men have been consulted about this, and all earnestly agree to it, and we now speak in their presence.

We must give you this caution, not to charge them with any thing that may be done by the Ohio Indians, who are under the influence of the French against you. We assure you our young men will do no more mischief to your people. [Gave a String.]

Capt. Newcastle and Jiggrea were sent on the 8th of the 6th mo. the second time, and were accompanied by John Pumshear and two other Delaware Indians from West Jersey. The message then delivered them by the Governor, was as follows:



The Governor and People of Pennsylvania, to the Indians on Suquehannah, gathered at Teagoon.

Brethren,—I return you the thanks of this Government, for the kind reception you gave to my messengers: This I look upon as an act of friendship, and a token of friendship, and a token of your good intentions. [A String of four Rows.]

Brethren,—I am glad to find a good spirit at last prevailing amongst you, and that you hearkened to my message, and laid it to heart; you will ever find us your brethren, sincerely disposed to consult and act for your truest interest, and in the several matters which were or shall now be particularly promised on our part, you may rest assured we mean punctually to perform them, and expect the same disposition in you. [A String of four Rows.]

Brethren—the Shawnese, Delawares, Memskies and Mohickons:

As you on their parts have confirmed the treaties and leagues of amity, subsisting between you and this Government, and given a Belt in confirmation thereof, and desire the same to be done on our part. I do now by this Belt ratify and confirm all former treaties and engagements, and assure you that they shall be most inviolably observed as long as the sun shines. [Here a large Belt was given.]

Brethren,—As your confirmation of former treaties was accompanied with professions of sincerity, so I make you the strongest assurances of truth in the confirmation this Government has now made. [A String of four Rows.]

Brethren,—That you and I have an opportunity of making these mutual declarations at a public Convention, I now kindle a fire at the house of Conrad Weiser, who is one of the Council of the six nations, and the public interpreter for the province. [A Belt of fourteen ft. was.]

N. B. Conrad Weiser said it was now necessary to name a particular place, but the Indians were notwithstanding this, always at liberty to name another; and he believed, from something Captain Newcastle had dropped, the Indians would choose the Forks of Delaware.

Brethren,—Having appointed a place for us to meet in Council, I now clear the road to this place, and remove the logs, and other obstructions out of it, so that it may be perfectly safe to every one desirous to use it to travel to their brethren when met in Council. [A Belt of eight Rows and eight Strings tied to it.]

Brethren,—It was offensive to see blood spilt on the road used by people who have lived in friendship together: I therefore remove all blood out of the road that leads to the Council fire. [A Belt of four Rows.]

Brethren,—Your Indians who live among us go where they please; they live as we do, and enjoy their liberty. We only hinder them from going to the frontiers where they might be mistaken for enemies, and hurt or killed, and that the Indians may know the truth of this, we send some of them along with our messengers to Teagoon, who will declare what treatment they have had from us. What few we have in confinement shall be set at liberty when the Council meet and be brought there. (A String.)

Brethren,—This last is a very important article, and what we absolutely depend upon, that all prisoners taken on both sides, shall be delivered up as there can be no sincerity on either side where this is not done, and that in the most faithful and ample manner, without keeping back a single person—the Belt assures you that it shall be punctually performed by us, and we expect the same punctually on your side. (Two Belts, the one seven, the other eight Rows.)

Brethren,—You have mentioned to us the distress you have been, and are in, for want of necessities; these are owing to your having given way to the influences of an evil spirit, and struck your brethren without any cause, and as you have brought it upon yourselves \*

\* you have the less reason to complain. But now

that a good spirit begins to show itself in you, and you desire to meet us in Council, I shall bring with me a sufficiency of clothes and provisions to relieve those distresses. (A String.)

Brethren,—As you have laid down the hatchet, and desire the same may be done by us, our messenger carries with him our proclamation, for the suspension of hostilities within the limits therein specified, of which we have informed the six nations.

Brethren—Agreeable to the repeated advice and request of Scarroady, and other Indians of the six nations, then residing in this province, I engaged to build a fort at Shamokin, for the protection of our friendly Indians, their wives and children; and I now acquaint you with the march of the forces, in order to effect this useful work, that it may give no umbrage, the commander having my orders not to act offensively.

Brethren,—You are to take notice, that nothing proposed by me, is to interfere with any invitation you may have received from Sir William Johnson, or your uncles, the six nations; they have acquainted me that a great Council is to be held in the country of the six nations; and those Indians at Teagoon are invited to it: I would have them by all means to give their attendance there. You may go to either place as you incline, for we are both in the service of one king, and act by his directions.

Brother Newcastle,—I have now finished what I would have you say in the name of this province, to the Indians gathered at Teagoon. You will adapt the several articles to the Indian customs, retaining the spirit and substance of them.

From the time of the first messages arriving at Teagoon, the hostilities on our northern frontiers ceased, and an acceptable respite being obtained for our distressed fellow subjects, we enjoy so much real pleasure and satisfaction, in this happy event of our endeavours, as to engage us cheerfully to pursue the business we had begun, tho' many malicious calumnies and aspersions were cast upon us by persons from whom we had a right to expect encouragement and assistance.

[To be Continued.]

The following memorial is circulated in the interior; and as the changes proposed are important—affecting every part of the state, we transfer that document to our pages, for the purpose of attracting the attention of those be stable to judge of the expediency of the intended alterations.

### THE JUDICIARY.

The following petition has been prepared after consultation with gentlemen of much experience, and who had bestowed much reflection upon the subject to which it refers. It is requested that Editors in different parts of the state, will lay it before their readers, with the hope of eliciting a full expression of public opinion upon it.

*To the honourable the Senate and House of Representatives of the Commonwealth of Pennsylvania:*

The petition of the subscribers, respectfully represents,

That the evils arising out of the present organization of the judiciary system of the state are daily increasing, and that your petitioners, in common with their fellow citizens, are suffering in their rights and property, from the operation of causes that might easily be removed; they therefore add their earnest solicitations, to the oft repeated recommendations from successive governors of the state, for some legislative improvements.

It is supposed that a reference to the evils, will clearly demonstrate the appropriate remedy.

Experience abundantly shows, that the supreme court under the present arrangement, cannot perform

the duties assigned to it. No combination of skill and industry in the judges, can dispose of the enormous accumulation of business pressing upon that court. The judges are required to hold in Philadelphia, a court of oyer and terminer, a court of *nihi prius*, and a court of error, which with the greatest skill and unremitting industry, must occupy upwards of twenty weeks in every year. They are required to hold four regular terms annually in the country, with occasionally an adjourned term in Lancaster, occupying sixteen weeks, independent of the time required for travelling to and from the different districts, and in addition to this, they are required to hold annually circuit courts in the several counties, which cannot occupy less than eight weeks. The average mileage travelled yearly by each Judge, is not less than fifteen hundred miles, which must require in the rapidity of stage conveyance, a period not less than three or four weeks, leaving in the year, a remnant of four or five weeks for relaxation, and to be spent with their families. With the present arrangement in Philadelphia, we are not inclined to interfere. The number of causes in the four country districts, falls but little short of four hundred per annum, and they are annually increasing: allowing five days in the week for constant labour on the bench, the number of causes to be disposed of, will average about five a day. The cases are made up of appeals from the Orphans and Registers Courts; from the decree of the Common Pleas in the appropriation of money: in writs of error; and they have beside, the sole jurisdiction in cases of *mandamus*, and writs of *quo warranto*; and concurrent jurisdiction in cases of trust, naturalization, divorce, *habeas corpus*, &c. If we consider, that most of the cases are involved with numerous complicated facts; that they are to be discussed and examined; that the law is to be investigated; and that an opinion is to be written and filed of record, not only in every case, but upon every point arising in the case, it will be abundantly clear, that the services required cannot be performed. There is an absolute impossibility, that they can be rightly done in the time allowed. It is treating the judges unfairly, and disregarding the best interests of the community, to require a court which is to settle the law in the last resort, an amount of labor, which cuts off all opportunity of study and research. The public is lavish enough in its censures, if the whole work is not done, and done in the most perfect manner. It is as unjust, therefore, as it is injurious, to heap upon the judges, a burden which we know they cannot sustain: and then to censure them for the non-performance: the objection presses as strongly against the manner in which judges are compelled to hurry through business, as the inconvenience of having in Pittsburgh, Lancaster and Philadelphia, a delay of two or three years before a case can be reached.

The judges in the last resort, should be allowed to proceed deliberately: to read and investigate; and time carefully to commit their opinions to writing, after the fullest examination; this is due to the reputation of the judges, and the character of the state. If this opportunity is not afforded them, let them not be censured, if their decisions shall not always be found consistent with each other: or if too numerous occasions occur in which some of the judges dissent from the opinion of the majority, and thus render the law uncertain. If a case be held under advisement; or time be asked to draw up a long and difficult opinion, where is the time for advisement, or to write deliberately an opinion? Not one day, or hour can be spared without borrowing from another period, that which should be equally devoted to other and equally pressing inquiries. Even if the public demand of them, the employment of Sunday, that universal day of rest, still the objection of a want of reasonable time is not removed. Less can be done under an over press of labor, than when time is allowed for reasonable relaxation, for the mind becomes tortured by constant employment, and unfit for active exertion, and the state loses rather than gains, by demanding too much.

The remedy we would suggest, is in the first place, to lessen the labors in the supreme court.

This may be done in a twofold way. 1. By releasing the judges from the duty of holding the circuit courts. 2. By reducing the amount of business in bank, by referring a portion of it to another tribunal.

Let the courts of common pleas, orphans' courts, &c. remain as they are, and the circuit courts be held by judges appointed for that particular purpose: And to effect the further object, let two contiguous president judges of the common pleas, with one of the circuit judges, hold a court of appeals, twice a year at some central point, within each judiciary district, for reviewing the opinions of the courts of common pleas within such a district, as well as of the circuit courts, in all cases under a certain amount, say 300 dollars; and let their decisions be final, unless in particular cases, when upon a special *allocatur*, they may be taken to the supreme court by writ of error.

Different courts thus graduated, would seem not only to avoid the difficulties suggested, but would add new facilities for the speedy and certain administration of justice, far beyond the means furnished under the present system.

The duty of holding circuit courts being taken from the supreme judges, and the number of writs of error, appeals, &c. being diminished in the manner suggested, would still leave the supreme court, an abundant supply of business, but not more than could be done, by a due application of skill and industry. Such a court, so organized, would afford surer means than any other, of rendering public satisfaction.

The circuit courts so constructed, would materially add to the safe and speedy administration of justice, not only in the relief afforded to the supreme court, but as it regards the business of the courts of common pleas and orphans' courts, &c. With five judges, a circuit court would be holden twice a year in every county, the term of which might continue one or two weeks, as business should require, and provision should be made for transmitting causes from the common pleas, and orphans' court, &c. under such regulations, as would properly divide the business between the county, and the circuit courts. The circuit judges would alternate in the different counties, so that the same one would not preside in the same county twice in succession. Thus a choice would be furnished to suitors, that would do away all personal objections to judges; a spirit of emulation would be excited; a novelty would be preserved, an energy be imparted, and additional means furnished in the joint labors of the county and circuit courts, that would meet all the demands of public justice. There are fifty counties in the state. Twenty-five of these would probably require but one term of the circuit court in a year. In the other twenty-five counties, two terms would be required, and in some of them, two or more weeks in a term. The first twenty-five weeks could be held by the five judges, in five weeks: including travelling, say two months. There would then remain ten months. Two terms in the other twenty-five counties, with travelling, extra terms, &c. would consume four months. There would be still six months remaining. Cases in error under 300 dollars, would embrace about one half the number of writs of error and appeals in the different counties, now carried to the supreme court. Thus, ample time would be afforded for the circuit judges to hold one or two terms every year, in every county, to aid the courts of common pleas, orphans' and register's courts, in the transaction of business, and also, for holding with two of the president judges, a court of review in each judiciary district, twice in every year.

It is of essential importance, that an opportunity should be speedily had for reviewing and correcting errors, which may accrue in the hurry of a jury trial, or in the sudden investigation of a matter tried for the first time, before the orphans' and register's courts; for this

purpose, we suggest the propriety of a court of appeals being held, twice a year within each judiciary district, by one of the circuit court judges, aided by two of the president judges of the common pleas. To this court, all cases where the sum in controversy does not exceed \$300 dollars, could be taken in the manner in which appeals are now had from the circuit to the supreme court. This plan, while it would add great facilities, in the despatch of business, seems to be without objection. The circuit judges would travel annually over the state; they would be associated alternately with all the president judges in the transaction of business; they would in this way, produce uniformity of practice in the interior courts, and there would be no danger of rendering the law uncertain by a difference of decisions in the different courts of appeal. For it is contemplated, that in cases of great difficulty, or of importance, or where the decisions of the supreme court may have been overlooked or disregarded, that on a special *allocatur* by the supreme court the case may be taken up to that tribunal for final adjudication. So that the supreme court, would still in matters of difficulty, constitute the court in the last resort. Cases of this kind would be few, and having been explored in the court of appeals, they would go up to the supreme court in an abstract form, and would require but little time for their final disposition.

It appears to your petitioners, that the scheme now recommended partakes more of uniformity in design, and practicability in execution, than any one that has come under their observation. It will avoid the evils of the present system, and add new facilities, never heretofore enjoyed. Trial by jury will be advanced in all the counties, as well as the transaction of the ordinary business in the county courts, by an increased number of tribunals. Partialities, predilections and peculiarities, will be neutralized, by a choice of tribunals afforded to suitors. Despatch will be secured by the ready means of trial afforded; uniformity and certainty will be established, by mingling the services of the circuit judges, with those of the presidents of the common pleas, and by enabling the supreme court, as the court in the last resort, to settle the law upon mature reflection. Perhaps among the most beneficial results, will be the opportunity afforded for the rehearing cases adjudged in the orphans' and register's courts. Proceedings in these tribunals have become exceedingly important, and there is no adequate remedy in the present tedious process of appeals, first to the circuit court, and then to the supreme court. There is a lamentable want of time and facilities, to secure a deliberate and thorough investigation, and a destructive delay in pursuing the remedy.

The expense of the proposed plan is, perhaps, the only objection to it. But on this score, the scheme is less exceptionable, than any one heretofore offered for consideration. By withdrawing from the supreme court so much of its business, and allowing a reasonable time for investigation, and deliberation, it might perhaps be reduced to its former condition, when it consisted of but three judges. For its strength does not consist in numbers, but in its constitution, and the manner of conducting business. In that case, only three judges in addition to the present number, would be required. But if five be deemed necessary, the expenses would be trifling, compared with the object to be attained. Your petitioners firmly believe, that there is more money wasted in unprofitable litigation in Pennsylvania in one year, and which might be prevented, than would under the system suggested, defray the increased expense for ten years. But while the physical abilities of the state are being improved, at the annual expense of millions, is the moral and civil condition of the community to be disregarded because the expense would be a few thousands!

Your petitioners pray, that the subject may be taken into consideration, and such relief afforded as may be deemed expedient.

## STATE TAX ON PERSONAL PROPERTY.

*City Commissioners' Office, 2  
October 26th, 1831.*

For the information of the public, the County Commissioners deem it proper to publish the following extract from the act of Assembly passed last session, for assessing a State Tax on personal property, together with the opinion of Counsel on the construction of said act, for the government of those interested, and Assessors new about to make the triennial assessment.

### EXTRACT.

"SEC. 1. Be it enacted, &c. That all personal estate and property within this Commonwealth, hereinafter described, owned or possessed by any person whatever, that is to say: all ground rents, moneys at interest, and all debts due from solvent debtors, whether by promissory note, except bank notes, penal or single bill, bond, judgement, mortgage and stocks in corporations, (wherein shares have been subscribed in money,) and on which any dividend or profit is received by the holder thereof, and public stocks, except the stocks issued by this commonwealth, and all pleasure carriages kept for use, shall be subject to a yearly tax of one mill upon every dollar of the value thereof.

"SEC. 3. And be it further enacted, &c. That the Assessors and Assistant Assessors shall proceed to ascertain the amount, and description, and value, of the said personal property, taxable as aforesaid, from the owner thereof, or in case of his neglect or refusal to furnish the Assessors with a full statement or account of said property, its amount, description or value, it shall be the duty of the said Assessors, from every information within their knowledge and power, to be inquired for and obtained by them, to proceed to make out a full statement of such property; and upon failure to obtain a special description thereof, shall return the aggregate amount thereof, as nearly as they can ascertain the same.

"SEC. 4. And be it further enacted, &c. That all personal estate liable to taxation, the value of which shall not have been specified by the affidavit of the person, as hereinafter authorized, shall be estimated by the Assessors at its full value, as they would appraise the same in payment of a just debt due from a solvent debtor.

"SEC. 5. And be it further enacted, &c. That if any person whose personal estate is liable to taxation, shall at any time before the Assessors shall have completed their assessments, make affidavit that the value of the personal estate owned by him, made taxable as aforesaid, does not exceed a certain sum, to be specified in the affidavit, it shall be the duty of the Assessors to value such personal estate at the sum specified in the affidavit, and no more."

Our opinion having been requested by the County Commissioners on certain questions arising under the act of assembly of the 25th of March last, assessing a tax on personal property within this Commonwealth, we have carefully examined the act, and concur in the annexed answers to the queries proposed.

1. Under the first part of the section which provides, "that all personal estate and property within this Commonwealth hereinafter described, owned or possessed by any person whatever, that is to say," &c. is a person who resides in Pennsylvania, but owns the description of property mentioned in the act, due or payable to him by persons out of the state, comprehended within the act?

*Answer.* We are of opinion, that the general rule of law must be applied, that personal property follows the person of the owner. Therefore a person living here is taxable for property owned by him, though due or payable by persons in other states, and on the other hand, if the owner is resident out of the state, the same is not taxable, though payable by persons here.



2. What kind of property is embraced by the words, "all ground rents, moneys at interest, and all debts due from solvent debtors, whether by promissory notes (except bank notes,) penal or single bill, bond, judgment, mortgage, and stock in corporations, wherein shares have been subscribed in money, and on which any dividend or profit is received by the holders thereof, and public stocks, except the stocks issued by this Commonwealth, and all pleasure carriages kept for use?"

*Answer.* Ground Rents are to be assessed and charged in the usual way. "Moneys at interest" embraces all cases of money placed out at interest, or on which interest is payable by the agreement of the parties, whatever be the mode of security, whether note, bill, bond, judgment, mortgage, penal or otherwise. "All debts due from solvent debtors, whether by promissory note," &c. comprehend, we think, only debts actually due and payable, not those which are not become due, though the latter, if interest be stipulated, may fall within the former class of moneys at interest. This is the legal interpretation of the words; and we see no reason for departing from it. On the contrary, any other interpretation would lead to great embarrassments.

3. Do the terms, "any person whatever," comprehend corporations, executors, guardians, trustees, &c. We are of opinion, they do not embrace corporations. If they were so constructed, then personal property invested in corporations, might be twice taxed, first as stock, secondly as debts or moneys at interest. It would also seem not to be the intent of the Legislature to include corporations under the term "person," since they are mentioned by name in the law, in connexion with a distinct subject of taxation. We see no reason why executors, guardians, and trustees should not be included under the term "person."

Stocks are to be valued at the par price. All stocks are included, in whatever corporations they may be, on which dividends or profits are received. The act gives to the assessors no power to make any exemption. If there be any stock which the owners deem to be exempt, it is for them to claim exemption from the tax in such manner as they may think fit. The assessors are not called upon to discriminate.

Physician's vehicles and Hackney Coaches kept for hire, we incline to think, fall within the words used in the law "pleasure carriages kept for use"—though reasons of weight might be urged for their exemption from assessment.

JOHN SERGEANT,  
THOMAS SERGEANT,  
JAMES PAGE.

Philadelphia, October 22, 1831.

By order of the Board,

WM. RODERFIELD, Clerk, C. C.

#### DINNER TO COUNSELLOR SAMPSON.

The visit of Counsellor Sampson to this city, presented an opportunity to his countrymen, publicly, to manifest their opinions and feelings which they entertain of his genius and talents, patriotism and public services. They embraced it, and prevailed upon him to honour them with his company at a public dinner. The invitation being given and accepted, the necessary arrangements were made for the accommodation of a company of about a hundred. Two days which intervened between the announcement of the intended dinner and its being served up, there was so constant a press upon the committee for tickets, that they were, however reluctantly, obliged to decline the sale of any ticket after 9 o'clock of the day on which the dinner was given. On Monday, Oct. 24th, the company assembled with much promptitude, at Congress Hall, and between 4 and 5 o'clock, P. M. the dinner bell assembled them around

the table, which, notwithstanding all the precautions taken, was a little too much crowded for comfort. MATTHEW CAREY, Esq. was the presiding officer, and Alderman John Binns, James Gowen and Chas. Johnson, Esqrs. officiated as vice presidents. On the right of the chair sat the guest, WM. SAMPSON, Esq. and near him we observed the Mayor and Recorder of the city of Philadelphia, the President Judge of the Court of Common Pleas, Mr. Brown, late minister to France, Mr. Dallas, U. S. District Attorney, and other gentlemen, with whose names we are not familiar, who had been complimented by an invitation. The table was plentifully covered with all that is rare and excellent of animal and vegetable food; the dessert was of a superior quality. The jellies and ices were much and justly praised, as were many other articles which did equal credit to the skill and taste of the confectioner, and the liberality of the provider. The wines were choice and well flavored; some of them very superior. We have pleasure in stating that the company were so entirely satisfied with the provisions which had been made, and the number of attentive and smart waiters, that a vote expressive of their approbation was passed with perfect unanimity.

The toasts and volunteer toasts were, without exception, well received by the company, and nothing was said or done to mar their pleasures. The evening's gratification was greatly enhanced by a number of very good songs, very well sung, and some very good speeches very well delivered. We regret that we are unable to give the speeches as delivered, and can only offer sketches—what we do give we know to be accurate. We cannot close this brief notice without expressing the opinion that we never have been at a public dinner, at which there were more unequivocal evidences of kind and joyous feeling, than were manifested at the dinner given to Counsellor Sampson.

#### REGULAR TOASTS.

I. *The United States*—The country which has adopted us. May we prove worthy of that adoption, by our patriotism and our love of order: whenever we meet a countryman, if we do not always greet a friend, may we never meet a foe.

II. *The Emerald Isle*—The land of our fathers, the nursery of our youth, the abiding place of our altars. We love her green fields, we are proud of her virtues, and would exult with exceeding joy, in a knowledge that she is, as we are, *free and happy*.

III. The President, and constituted authorities of the United States.

IV. The Governor and constituted authorities of the State of Pennsylvania.

V. *Our highly respected guest, WM. SAMPSON*—talents, genius, and patriotism made him a terror to evil doers, who persecuted him from his native land—the same high qualities have caused him to be hailed and welcomed and universally honoured in "the land of the free and the home of the brave." Health and happiness to the defender of William Orr.

The announcement of the fifth toast was followed by long and loud acclamations, and when these subsided, a silent pause ensued, during which the favoured object of so much applause remained seated, evidently laboring under the weight of genuine unaffected feeling; and after rising, remained still silent for a time. It was a moment of deep sympathy, and some feared lest the effects of indisposition, fatigue, and years, had overcome his faculties. His friends were, however, soon reassured by the address, of which the following is a transcript, as nearly as it can be recollected. It was most evidently unprepared and unpremeditated, and growing out of the occasion, as follows.

#### MR. SAMPSON'S SPEECH.

If, sir, my feelings were less strong, and less sincere, my utterance of them would be less embarrassed. He

that is much obliged, is much a debtor, and if he be an honest one, will grieve when he is unable to discharge the debt he owes. And when the heart speaks most, the tongue says least, when it is overcharged, it is almost mute.

I will not, however, disparage myself, for that would be to arraign the judgment you have passed upon me: but as one who has received a bounty, without equivalent, holds it but as a trust, let me apply it to the object which may best suit the purpose of the generous donors. To reinstate and reanimate that spirit of union amongst Irishmen, of every religious persuasion, that holy healing, and invigorating principle of brotherly affection, which, if it be not cherished, vain are the qualities of genius or of talents. These may serve to dazzle or amuse, and to aggrandize the professors of such rare gifts, they are subjects of admiration and applauses; but to save a sinking, or to raise a prostrate country, they are but glittering meteors that dance in the air, shedding no lasting light, nor health, nor animation. I can sound the depths of my own understanding and my own talents, and find them much overrated; but little as they are, they have been devoted to the cause of union, honestly and sincerely. This is my own merit, and this is the best title I can make to your most consoling and too kind regards.

Divide and conquer is the tyrant's maxim; unite and conquer is the patriot's creed. He who takes this great principle for his leading star, and follow its guidance through storm and peril, will have done his duty, and however adverse his destiny, his course has been the true one. If he has pursued it undauntedly and faithfully, he may suffer shipwreck of his fortunes, or of his life, but never of his conscience or his honor. Such was that brave and honest man, who, without pretensions to splendid genius or to mighty talents, and of that middle station, where virtue is most apt to fix its habitation, and with whose honest name I am most proud to be identified—such was WILLIAM ORR. He was no boastful orator—no aspiring leader. His love was for his country, and his sole ambition for its deliverance. You, who have not seen him as I have, may figure to yourselves a plain and honest countryman: but one upon whose front nature had stamped the virtues that dwelt within his breast. And though it matters not what are the outward lineaments of him whose soul is pure, and courage noble, yet, let me say that he was one in whose manly countenance, fine stature, and fair proportions was written—*MAN*! and let me tell you now for what he died.

Amongst the bloody acts of a ferocious parliament, scourges and traitors to their country, minions and sycophants of a foreign and hostile government, there was one to which they gave the too just title of the *insurrection act*. In this there was a clause, which made it felony of death to take unlawful oaths. To one not versed in Irish history, it might appear that this enactment was to punish the exterminating oaths of those called "peep of day boys," afterwards *Orangemen*. But no! these we encouraged, rewarded, and indemnified. It was at the great principle of union that they aimed, for that they knew would lead to liberty. Hear, then, the obligation for which this patriot was condemned by drunken jurors, perjured witnesses, and a Judge who shed vain tears of contrition and compunction in passing the horrible sentence of death upon him. This it was.

"In the presence of God, I do voluntarily declare, that I will persevere in endeavouring to form a brotherhood of affection amongst Irishmen of every religious persuasion, and that I will also persevere in my endeavors to obtain an equal, full, and adequate representation of the people of Ireland."

You have not heard it all. The conscience stricken jury, who found him guilty, recommended him to mercy. Some of them came forward, and in open court, made solemn oath, that liquor had been introduced into

the room where they had retired to deliberate upon the verdict, and that the result had been almost general intoxication—that one of the body had terrified them with denunciations of vengeance for their disloyalty—that still these fearful menaces against their persons and their dwellings would not have been sufficient to seduce them to so criminal an act, but for the effects of the liquor they had taken, and from the deluding assertion that the life of Mr. Orr was in no danger. That in their minds the case was doubtful, and that they had so stated it in giving in their verdict.

Stay yet a little, there is yet more to follow. The principal witness made a like solemn oath, that he felt great compunction for his crimes committed against Mr. Orr, and against others, and that what he swore against William Orr was false. A respite of his execution was granted, and much interest was made, for he was much beloved. Was it through mercy that this was granted? It was not, nor for the sake of justice. It was that two murders might be committed, the one upon his person, the other upon his good name. It was published in newspapers that he had confessed his guilt. They went into his cell and found him in the act of prayer. Mercy was offered upon the sole condition that he would acknowledge himself to be a guilty man. His fortitude was assailed through the affections of a brother, and through the tears, and prayers, and lamentations of a beloved wife and five beloved children; by whatever could bind the affections of a friend husband and tender father to a sweet and happy home. Life was dear, for he was in the season of its best enjoyment. Children and wife were dear, and friends were dear; but, dear as all these were, his honour and his truth were dearer still.

The story of his last moments, as I have heard it told by those who witnessed them, was thus:

Upon the scaffold, nearest to him, and by his side, stood a Roman Catholic domestic, faithful and attached to him. Manacled and pinioned, he directed him to take from his pocket the watch which he had worn till now, that time had ceased for him, and hours and minutes were no longer to be measures of his existence. You, my friend, and I must now part—our stations here on earth have been a little different, and our modes of worshipping the Almighty Being that we both adore. Before his presence we shall stand both equal, farewell—remember Orr.

Here the scene closes—here let the curtain fall. I will not lead you through the tragic acts that followed on this murder, too hideous to be told, too foul to have a name. Let this serve as the epitome of Ireland's history, a government that ruled by crime and cruelty, a government that, whilst it dealt death, and exile, and torture, and ruin to such men as this was, allied themselves with all that was corrupt and vile, and if I have any title to your favor, it is not from genius or talents which your partiality would impute to me, but that I have been, in my opposition to this misrule, sincere and resolute. And still may you remember me when you remember Orr. And whilst I live I shall be grateful to you.

I might perhaps have risen to higher fortunes, and had I stooped as low as others did, I might have worn a coronet, and left in dying to my posterity, a high and sounding title to hereditary—*infamy*. With even less of talents or of genius than the little I possess, many have been so distinguished. And I think this is no mighty boast. The strange, iniquitous, relentless, mysterious persecutions that I have been honoured with are proof that I was not held of small account, but the reward I have in the esteem and approbation of my country and honoured countrymen, and that of my country's friends, and the transmission of an honest name is dearer far to me than baubles that are now fallen full cheap in all discerning eyes, that even when earned by merit, serve but to counteract the great scheme of natural equality and right, and which by lifting up the few ac-

grade the many. And which when earned by parical treachery, are but objects of loathing, contempt and scorn, and should remain, and so descend from generation to generation.

All is not lost—the time is at hand when true and faithful history will emblazon the achievements by which these guilty honours have been won. Unhappily the history of Ireland has seldom been written with the pen of truth. It has been traced by her enemies, or which is little better, by indiscreet or else by half faced friends. He who would be Ireland's historian, should have many qualities. A solid judgment to separate the fictions and fables from the valuable truths, that are involved with them: A mind free from passion, prejudice, and idle prepossessions. When the darkness in which the history of our times is shrouded shall be cleared away; how will it then shew? How! like the disordered scene of a long night's debauch when day looks in upon it.

So great has been the influence of habitual debasement, and the long reign of terror, that scarcely one has ventured to look the latter events of Ireland in the face, or to give to those who nobly dared, or nobly died, their meed of praise and honor. Those who have done the best, have, by a mean compromise with power, begun by setting their feet upon the necks of the truest, the bravest, and the best of Ireland's sons. It was even thus, that amongst the many griefs which she has endured, the slanders of her history, have been the greatest.

Here, where vindictive power cannot reach, the means are less accessible. There sits one, indeed, beside me, (turning to the President, Mr. Matthew Carey,) who has performed an Herculean labor: who has disinterred from beneath the heaps of *scorie* and other cumbrous deposits, all marking its volcanic character, treasures of historic truth. By the exertion of marvellous industry and learning, he has laid them bare to view upon the surface of the soil. Others will, I trust, profit by his untiring labors. I hope when they do, they will acknowledge to whom they are indebted. The strong positions he has taken he has fortified by proofs that render them impregnable.

You have others of vivid genius amongst you—let each contribute his part to the great end of union amongst all persuasions—all march onward and forward to that great prevailing object, all that is good will follow; and though the vestal fire should, for a period, cease to burn in your distracted native country, let it be cherished and preserved in this, now and forever, and let the word of union, be reverberated from a thousand echoes. Ireland will thus, at one day or other, become mistress of her own destinies, and then she will be able to unite or separate with or from whom she may, and free to determine which, upon principles of equality, and policy, which as yet has not been—for a compulsory union is a rope of sand. And let us here, as adopted citizens, prove ever true to that allegiance which we have voluntarily sworn to, and so live with one another as to be respected in this, and useful to our native country. The day may come when, under the wing of the high towering eagle, poor prostrate Ireland may find that succor and protection which her exiled children have received upon her hospitable shores.

Perhaps I talk too much. Indeed, it seems to me more like a vision than reality, to see so many blanched with years who have known me in those terrible times, that now, after changeful events, and lapse of many years, seem, through the dreamy vista, as of a distant æra, though still fresh in memory.

One word more, and I have done. Since I have been in your city, I have received much kindness, and from the members of my own profession, and from my adversaries as well as from my honoured colleagues, the most attaching courtesies. Let me draw upon the large credit you have given me, and ask your approving voices for the toast which I shall have the honour to propose:

"The bench and bar that adorn your state and noble city—Learned, liberal, eloquent, and every way accomplished."

[We publish this speech as we received it, conscious, however, that it will be read with very different feelings to those with which it was heard. The natural simplicity of manner, the softness of tone and the strong, yet strongly suppressed, feelings of the speaker brought tears into almost every eye; it was truly an affecting and effective speech.]

**VI. The memory of Tone and Orr, Fitzgerald and Emmet,** and the other Irish Martyrs who were sacrificed for their love and devotion to the freedom and independence of their country. Light be the sods which deck their graves—green and precious be their memories.

**VII. The early and eminent advocates of Catholic Emancipation,** Grattan and Flood, Curran and Burke, and their illustrious compeers; names associated with genius and talents which would have done honor to any country. Sacred be their memories.

**VIII. Catholic Emancipation.**—O'Connell, Shel, Lawless, and the troops of friends, who were its fearless, ceaseless, and successful advocates. Prosperity, health, honor, and long life to them.

**IX. Extinction of all party feuds**—The harbinger of harmony among the Emigrants from Ireland—whatever may have been their party feud, at home, religious or political.

**X. The Army of the United States.**—Alike distinguished for its courage, its discipline, and its humanity.

**XI. The Navy of the United States** which has carried the "Star Spangled Banner," triumphant into every Sea, and spread it, victoriously, on every Lake.

**XII. Greece and Poland.**—Centuries of oppression did not break their lofty spirit, nor humble in the dust their proud hopes; they are still worthy to be recognized as the descendants of Miltiades and Epaminondas and the brethren of Kosciusko.

**XIII. The Fair Sex.**—The last and best gift of heaven. The regular toasts having been drunk, Mr. Dallas rose and said, that although a humble member of the bar, so vividly complimented by their distinguished guest, he could not refrain from expressing his conviction that the sentiment of respect and kindness was most cordially reciprocated. It was impossible to be insensible to praise from such a quarter. The eminent individual was, here, the representative of two bars, which, for many years, had shone conspicuous by professional ability and eloquence. In Ireland, he was long the companion of Curran; and in New York, he was the associate and friend of Emmet. In both countries, and in every scene, he had proved himself competent alike to illustrate the law, to relieve its practice with the sallies of a sportive wit, and to exalt it with the devotion of a deep and abiding patriotism. The profession in the United States was indebted to the lawyers of Ireland, not merely for works of learning, but for models of ardent, kindling, and powerful eloquence. It was unnecessary to refer to them; their names and their effusions were as familiar as "household words." One of these could not well for the first time, visit our scenes of jurisprudence, and participate in their activity, without being welcomed with sincere and profound respect; nor, it is trusted, will he return without being sensible that he carries back with him our lively feeling of affectionate reward.

Mr. Dallas concluded by offering the following sentiment—

**The Bar of Ireland**—The light of its eloquence and patriotism has irradiated the liberties of both hemispheres.

**By Col. J. Page**—Irish Patriotism and Irish Eloquence. —While virtue endures, the former shall be admired and imitated; genius will never permit the influence of the latter to be lost.



By Col. Thompson—The Memory of the brave General Montgomery—His pure and precious blood was cheerfully shed to procure for us *Liberty and Independence*; while the rocks of Quebec Tower are the plains of Abraham; his name will be held in grateful remembrance by the friends of Freedom.

The Chairman having retired, and the Vice President, *Mr. Gowen*, having conducted the Vice President, *Mr. Binns*, to the Chair, he gave, and the company drank, with cheers, the following toast—

Our respected and talented Chairman, *M. Carey, Esq.*—In Ireland, the editor of the *Volunteer's Journal*; in the United States, the author of *The Olive Branch*—we wish him health long to labor for the public good.

By Dr. J. McHenry—The glorious recollection of the *Irish Volunteers* of 1781, with whom first originated that spark of religious liberty in Ireland, which has at length been so happily achieved in the accomplishment of Catholic Emancipation.

By Matthew M'Bride—The pleasure we feel in participating in the company of this venerable friend of Civil and Religious Liberty; may we ever cherish in our hearts those virtues which have adorned his life and rendered him dear to society.

By James L. Dougherty—Irishmen—They have successfully drawn the sword and wielded the pen in the cause of liberty in every clime; God grant that the day is not far distant when their patriotic efforts shall shine forth in refuged splendor, in the cause of liberty and the rights of man in their native isle.

By George Pepper—Daniel O'Connell, the distinguished senator, the incorruptible patriot; Ireland cannot say like Sparta, that she has better sons.

By Mordecai Cullen—Our happy Republic, the Asylum of the Oppressed—No armed Police, no equipped Yeomanry, no Insurrection Act, where the sword of Gideon is turned into ploughshares.

By James Maher—The Mayor, Recorder and Alderman of the city of Philadelphia—Justly entitled to the gratitude of the united sons of Erin, for their impartiality in the late trials in the Mayor's Court, for the riot on the 12th of July last.

By William W. Haly, Esq.—The Law—The only sovereignty acknowledged amongst us; administered by functionaries like those that occupy the seats of our criminal jurisprudence; its reign must be prosperous and perpetual.

By Alexander Diamond—The Constitution of the United States, the inestimable charter of freedom which guarantees to all men equal rights and liberty of conscience.

By C. G. Nagle—The Laws of Pennsylvania—They are just and equitable, and may they ever be administered by such talented and impartial judges as those who lately presided in the Mayor's Court.

By Thomas Burke—The Memory of the Irish Patriots who died for their country—Their blood has enriched the soil of Irish Freedom, and caused it to produce some of the fairest flowers of Liberty.

By John Keefe—The Honorable Daniel O'Connell, the able Advocate of Ireland—May he soon stand on the Altar of Liberty in his own country, and proclaim to the world that Erin's chains are broken, and the lamented EMMER'S Epitaph may be written for *Ireland is free and Independent*.

By Bernard Maguire—The City of Philadelphia—The first in sympathy for the suffering Irish, and the first to do honor to one of her most distinguished sons.

By Thomas Black—Destruction to the monster, "Domestic Faction," which is the sole cause that has prevented Ireland from obtaining her independence, long ere this.

By John Maguire—The Right Rev. Dr. Doyle, the Patriarch of Patriotism, who has wreathed the crosier with the olive of freedom, and shown the world that the mitre may be as the cap of liberty.

By James D. Boylan—May the feuds and animosities

of Irishmen be forever drowned in the waters of eternal oblivion, and peace and harmony the only pass-word by which they may be known to each other.

By Dennis Sweeney—Counsellor Sampson, the virtuous patriot, and terror of wicked men.

By Peter Woods—Joseph M'Ilvaine, Esq. Recorder of the City of Philadelphia—An impartial, independent and talented administrator of our criminal jurisprudence; in his hands the sword of justice has destroyed the demon of fanaticism and bigotry, and rescued us from its fearful ravages.

By John Waters—George Washington Custis, the nephew of the illustrious Washington, the friend of civil and religious liberty, and by Ireland he should be remembered.

By Augustine P. Quigg—The proper authorities of the city and county of Philadelphia—May they *frown indignantly* on any attempt to disturb the peace of society and *nullify* the authority thereof by judicial distribution.

By Joseph McHvsine, Esq. the Recorder of Philadelphia—The Irish Emigrant—Ever welcome to our shores, doubly welcome when he leaves behind him those local feuds and unnatural appetites which the policy of a despotic government has created and cherished; but which are inconsistent with the spirit of our free institutions.

By David S. Hassinger—The Irishman's Motto—"Where Liberty dwells there is my country."

By B. W. Richards, Esq. the Mayor of Philadelphia—The Patriotic Irish Advocate—Who in his zeal for his fellow countrymen, forgot not what was due to the laws and the peace of his adopted country. His fellow countrymen derive honor in honoring him.

By Thomas Maguire—The venerable Counsellor Sampson, the fearless defender of the rights of man, in his native and adopted country, he has stayed the progress of the destroying angel. The sword of Gideon is sheathed, never more to be drawn against the defenders of American freedom.

By Bw. Graves—May the recollections of the *cause* which brought us together this day, be the means of producing a unanimity amongst Irishmen, never to be broken, and may they recollect that *division* was their *ruin at home*, and that *union* will make them respected *abroad*.

By James Gowen, Esq. one of the Vice Presidents—The Naturalised Citizens of the United States—The discords that divide and enslave their native land, admonish them to harmonize in the land of their adoption; may the freedom they enjoy ever be reciprocated by the most ardent devotion to the laws and the constitution and may their rulers recognize in them citizens under a Constitution that does not discriminate.

After the toast of Mr. Gowen had been drunk, Mr. Binns addressed the meeting. "I will not, sir," said he, "occupy many minutes of your time, nor would I at all claim your attention, if I did not feel that very extraordinary circumstances have brought us together. We have assembled to pay the homage of our high consideration to a distinguished fellow countryman; but can we overlook the cause which brought him here? If we could overlook it, would not our fellow-citizens think that we were strangely regardless of the peace and good order of this, our generally tranquil and quiet city? I would touch lightly on this unpleasant topic—its circumstances, indeed, are known to all our citizens; every one that hears me is at least as well acquainted with the disgraceful facts as I am. A riot, attended with much violence and bloodshed, took place in the middle of the day, in the heart of our city; our police were called upon, and, for some time, the scene was alarming. Who were those who thus raised their bloody weapons against each other? I need not answer the question! Sir, I should feel my cheeks glow with shame for the conduct of my countrymen, on the occasion referred to, if I did not feel that they have nobly

and redeeming qualities, and even claims to the gratitude of their adopted country. These claims rest on their affectionate devotion to her from the earliest days of the revolution to the present hour. Montgomery was not more zealous to assert the rights of America than have been thousands of his countrymen at every period since. In that dark and gloomy hour of the revolution, when the Pennsylvania Line—chiefly Irish—could be tracked by their blood, goaded by what they regarded as an ungrateful neglect, mutinously arrayed themselves against the old Congress. In that dread and trying hour came the emissaries of the British Government, and tendered to the Pennsylvania Line food and raiment, and increased pay; but they filtered not in their allegiance to their adopted country; they gave up the tempters, and overcame the enemy who would have seduced them. In the late war, also, the Irish were not few in number, who flocked around 'the Star Spangled Banner,' around that Banner they bravely fought and cheerfully died. Let these things be remembered of the Irish, when they are blamed, as they deserved to be blamed, for having brought their prejudices and hatreds into action here, to the disturbance of the public peace. I have the honor, Sir, to be a United Irishman, and to take the oath that I would "persevere in endeavouring to form a brotherhood of affection among Irishmen of every religious persuasion." For this act, and for acts done in pursuance of this obligation, I was long persecuted and many times imprisoned. I am well aware that, at that time, some who were active in the late riot, would have willingly taken my life, and the lives of those who acted with me. But, Sir, we are now citizens of another country, and live under another Government. Were all sensible of the blessings of toleration and freedom, and of the peace, plenty, and happiness here enjoyed, notwithstanding recent events, I am as sure as I am that I live, that the very men who, in Ireland, would have taken our lives, would here rally with us, in brotherly love, under the standard of our common country, and march, shoulder and shoulder, with us to the water's edge, to meet and drive back her foes. I will detain you no longer, Sir, than to read the toast I hold in my hand:

"Naturalized Irishmen—Whatever may be their prejudices or their enemies, they will always be, as they always have been, among the first to march, shoulder to shoulder, to avenge the wrongs and assert the rights of the country of their adoption—her enemies are their enemies—her friends are their friends—and, for her, like their gallant countryman, Montgomery, they are ready to fight, bleed and die."—*U. S. Gazette.*

#### MANUFACTURE OF EDGE TOOLS.

In the last volume, page 394, we briefly noticed a valuable factory of edge-tools at Chambersburg, Pennsylvania. Since then we have learned some other particulars, which we shall state with great pleasure—to show the success that has attended an important branch of manufactures, which we had apprehended would be a much longer time in reaching that degree of perfection which is indispensably necessary to obtain the home market, because of the *quality and price* of the articles offered to the consumption.

This establishment owes its present extension, if not its origin, to the tariff of 1828, though its products are rather incidentally than fully protected. It is seated in the borough of Chambersburg on the Conococheague, (meaning, in the language of the Delawares, "Clear Water") creek—the supply of which is abundant, and the fall, *within the town*, is 40 feet. It was commenced in 1828, with 5 or six smith's fires, and now has 14. In 1828, the value of the goods manufactured was 6,000 dollars—in 1830, \$18,000; and that of the current year is expected to exceed \$30,000; and new works are erecting to increase the manufacture to 50,000 dollars a year. The present consumption is at the rate of 40

tons of first rate iron per annum, with proportionate quantities of steel, &c. Thirty grind stones, worth from 25 to 30 dollars each, and weighing more than a ton, being about 5 feet in diameter and about 12 inches wide are annually used. They are supplied from York county. The transportations of materials and goods make a heavy item of expense—for about 2,000 bushels of mineral coal and 15,000 of charcoal are used, employing many persons, horses, &c. Forty workmen are employed in the factory, and the wages paid amount to 7000 dollars per annum—which, with the various other disbursements, in cash, give a rapid and wholesome circulation to money. The chief articles manufactured are axes, hatchets, adzes and hammers, in all their varieties—drawing and straw knives, socket chisels, cleavers, choppers, inslaves and strew drivers; and trowels, butcher's and other knives, fleshers, workers and *currying knives*, have been made to advantage, but the demand for the first named articles has lessened the manufactures of the latter, and the *quality and cheapness* of these things, so far as their extent goes, places British competition at defiance, and has effect to keep and circulate a large amount of money at home, afford employment in many interesting departments, and give value to articles which otherwise would have none, because of the want of demand.

We mentioned that certain goods from this factory had been sent to England as patterns, and the result is shown in the following very interesting extract of a late letter from Mr. Dunlop, one of the proprietors. He says, "We (Dunlop and Madeira) a few days ago received a letter from Messrs. Lesley and Meredith, hardware merchants in Philadelphia, stating in substance, that they had just received a long letter from James Cam, of Sheffield, England, to whom they had forwarded, by order of his son, 50 dolls. worth of our goods as patterns, in which he says—'he is very much pleased with them, and that they are exceedingly neat and well finished, but that the prices are too low, and that he cannot furnish such tools at their price to suit any market in the United States. We sold him the goods at OUR RETAIL PRICE. He wishes to know your wholesale prices. The English workman has great difficulty in hitting your patrons, and asks a considerable advance on any new article. We need not fear any competition with the English. American tools of the larger sort are from 10 to 20 per cent, better than the British, any how.'"

Such is the prompt effect of the enterprize and talents of Messrs. Dunlop and Madeira. The Mr. Cam alluded to is one of the largest manufacturers of heavy cutlery in England; and he shrinks from the *competition of quality and price*.

Those who recollect that the British manufacturers for the *foreign* and the *home* market are very different persons—will easily understand this. The quality of American manufactured goods generally, because of an equal *responsibility*, is the same, (if not better in some cases), as of those which are manufactured in England for *home* consumption, and their price is generally about the same. This fact is especially known to all the chief manufacturers of leather, skins and furs, wood, &c. such as boots and shoes, hats and caps, ships and cabinet wares, for examples—all which are handsomely protected in the United States. The aggregate value of the class of manufactures last alluded to, cannot fall short of 70 or 80 millions of dollars a year—or much more than the whole amount of our domestic exports.

[*Niles' Register.*]

*Iron Manufacturer's Meeting.*—In addition to the information required by the Treasury Department, returns were also made to this meeting of the quantity of agricultural produce consumed at the several iron establishments of the county, in the last three years, ending on the 30th September, 1831; which, after being summed together, exhibits the following amount:

101,852	bushels of wheat,
182,742	" rye and corn,
36,141	" oats,
32,240	" potatoes,
2,745	tons hay,
781,000	pounds, bacon and pork,
396,750	" beef.

The above, in some measure, explains why it is, that a bushel of rye, corn and wheat, or a pound of pork, usually affords as great a price in Huntingdon county, as in Philadelphia.

As a further evidence of the salutary influence of the existing policy of our general government, on the interests of this county, the fact may be stated that in the years 1815 and 1816, before the enactment of the present tariff the farmer of Huntingdon county had to pay 140 dollars, per ton, at the works, for all the iron he consumed, whereas it can now be purchased for 85 and 90 dollars, per ton; equal in quality, and generally superior in variety and excellence of workmanship.—*Huntingdon Gazette*.

**Comparative cost of transportation.**—A merchant residing in Towanda, Bradford county, Pa. visited our borough last week for the purpose of superintending the transmission to the place of his residence, of certain merchandize received by the Schuylkill Navigation. In reply to our inquiry, whether the expense would not be lessened by sending his goods into the Union Canal; he informed us, *that the time saved by the route he had adopted, more than counterbalanced any diminution in expense which might take place by using the other as a medium of transportation.* It would seem therefore that the expense incurred in a land carriage of 40 or 50 miles was by him preferred to the unavoidable delay, owing to the increased distance of 52 miles, encountered in the canal transportation. The present cost of transportation across the mountain is about eight dollars per ton; but when the Danville and Pottsville Rail Road is completed, the cost of portage, computing the distance at 44 miles, and allowing five cents per ton per mile, will only amount to two dollars and twenty cents. Thus the sum of five dollars and twenty cents per ton will be gained, and between two and three days in time will be diminished, making in the aggregate a very considerable saving. Who now will doubt the important advantages of the Danville and Pottsville Rail Road.—*Miner's Journal*.

**Large Potatoes.**—We have been presented with four Irish (American) potatoes, exhibiting much peculiarity of form, and of unusual size—the produce of a farm in this neighborhood. We cannot attempt a description of the quadruple lot in detail. One measures 11½ inc. in length, by 9 in breadth—another 10 by 9½ inches, and another 11½ by 6 inches—they are cylindrical in general shape, having numerous literal prongs projecting upwards and downwards, of nearly similar size, covered with minor knotty protuberances, and forming “en masse” a curious spectacle. These potatoes are of the Mercer kind, were raised in the ratio of two bushels to the perch, twelve perches having yielded twenty-four bushels. The productiveness of our soil has been frequently called into question by superficial observers, and those who echo the opinions of such. Numerous proofs of unusual thriftiness in various kinds of produce have amply refuted such groundless notions, and only require promulgation to silence them forever. Our friends are invited to call and examine the foresaid potato specimens, a sight of which will amply reward their curiosity.—*Id.*

**Mammoth Potato.**—A Potatoe weighing two pounds and seven-eighths, was raised this season in the garden of Mr. Garrett Lemasny, in the borough of Chambersburg, Pa.

**Large Apple.**—Mr. FRESS, I have often seen notices in newspapers, respecting large turnips, radishes and apples; and I think, therefore, that the following description of an apple, that grew in my orchard, near Mr. Pitt's tavern, on the limekiln road, would not be an uninteresting paragraph in your excellent paper. The apple is of the pippin kind, is of handsome growth—weighs 1½ pound, and measures in circumference 14½ inches. The apple may be seen at the Rev. B. Keller's, to whom I presented it, as a token of my regard.

Yours respectfully,  
GEO: HUBB.  
[Germantown Telegraph.]

At the Quarterly Meeting of the Franklin Institute, held in this city on the 20th inst., a committee was appointed to aid the corresponding secretary of the Institute, on ascertaining the number and extent of the manufacturing establishments and mechanic institutions in this state, and to obtain statistical and general information concerning them.

The committee consists of the following gentlemen: Wm. H. Keating, C. C. Haven, Walter R. Johnson, Frederick Fraley, Alexander D. Bache, S. V. Merrick, Thomas Fletcher, A. S. Roberts, and James Ronaldson. It is proposed to transmit into all the counties of the commonwealth circulars containing interrogatories on a uniform plan, addressed to those concerned in the various manufacturing and mechanic establishments, and to other intelligent citizens, with a view of eliciting the desired information.

**“ALBANY AND BUFFALO RAIL ROAD.”**—Among the notices of the intended applications to the next legislature of this state, is one for the construction of a rail road communication between the Hudson river and lake Erie; and the Albany Argus states that a combined and powerful effort will be made to ensure its success. The enterprising citizens of Buffalo and Rochester have already expressed their opinions in favor of the project, and resolved that it is expedient to adopt such measures, in concurrence with the citizens of other places, as will lead to its accomplishment. The Buffalo Circular suggests that it will operate as an auxiliary to the Erie canal, instead of becoming a competitor.—*N. Y. Journal of Commerce*.

#### APPOINTMENTS BY THE GOVERNOR.

JAMES M. LINNARD, of Philadelphia, to be one of the Canal Commissioners of Pennsylvania, in the room of James S. Stevenson, deceased.

FREDERICK HAMBRIGHT, of Lancaster, to be one of the Appraisers of Damages on the Pennsylvania Canal and Rail Road, in the place of the Hon. William Ramsey, deceased.

*Appointment by the District Court of the United States in and for the Eastern District of Pennsylvania.*

FRANCIS HOPKINSON, Esq. to be Clerk of the said Court, in the place of David Caldwell, Esq. resigned.

#### HISTORICAL SOCIETY OF PENNSYLVANIA.

A Quarterly Meeting of the *Historical Society of Pennsylvania*, will be held on Monday evening at 7 o'clock, November 7th, at the Society's Chamber, over the Athenæum, in Philosophical Hall.

J. R. TYSON, Sec'y.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 20. PHILADELPHIA, NOVEMBER 12, 1831. NO. 202.

## FRANKLIN INSTITUTE.

*To the Board of Managers of "The Franklin Institute," of the state of Pennsylvania, for the Promotion of the Mechanic Arts.*

The Committee of Premiums and Exhibitions respectfully report:

That in pursuance of the plan sanctioned by the Board, their Seventh Exhibition of Domestic Manufactures was held at the Masonic Hall on the 4th Oct., and that it continued open until the 8th inclusive; during which time, it was visited by an immense number of our fellow citizens, as well residents of this city as strangers. The Committee estimate the visitors to have exceeded 40,000. Notwithstanding the great extension given to free admission, including the members of the Institute, depositors of goods, Committees of Arrangements and Judges, persons connected with the press, and strangers of distinction, to each of whom tickets admitting three individuals at any one time were issued, the receipts at the door amounted to \$1,218 50-100 which shows that about 10,000 persons paid for their admission. The expenses of the Exhibition were, it is believed, somewhat higher than usual, but the committee entertain a hope that this sum will be sufficient to defray them entirely. The accounts are not yet settled, when this is done, a full statement of receipts and expenditures will be submitted. Among other benefits attending the present exhibition, the Committee enumerate an accession of seventy six members, and the sale of a few copies of the Journal.

But as the objects of the Institute in holding their exhibitions were in no manner of a pecuniary nature, it is to the benefit which they are calculated to produce on our manufactures, that we look as a reward for past exertions, and as an incentive to future ones. It is gratifying to observe the great improvement which each successive exhibition manifests in the manufactures already established as well as the increase, resulting from the new ones now for the first time noticed. Among the articles in which most improvement has been made in the last twelve months, we may mention the carpets, the flannels, the printed cottons, the stoves for anthracite, the writing paper, the Britania ware, &c.

Among those now seen for the first time are the natural yellow nankeens, the cotton hose, the silk plush, and the manufactures of iron by coke alone, the cutlery, &c.

Great improvement in the taste of the manufactures is evinced in the elaster and more graceful forms of the cabinet ware, most of the pianos, the grates and other articles, the good workmanship of which often suffered much formerly by the abuse of ornaments. Even now we occasionally observe forms too massive, or inappropriate to the uses expected of the goods—colours too gaudy or inharmonious—gildings too lavishly spread upon objects of furniture. But it is gratifying to see the disposition to improve as evinced in many of our manufacturers. Among the articles the good taste of which united all suffrages, we might cite the beautiful Brussels carpets from Lowell and Carlisle, the handsome sofa by White, the admirably executed chandelier of Cornelius, &c.

The Committee would observe that while the quality of the goods was decidedly superior to that on former occasions, the quantity and variety of articles was also greater: the only branches in which our former exhibitions presented a richer display, were in cabinet ware, marble mantels and grates. These are all very cumbersome articles to move, and in the case of the marble mantels, the erection of them is attended with so much expense, that the Committee did not make much exertion to persuade the makers to send them. To this circumstance, and to the highly improved distribution of the goods, introduced by the Committee of Arrangement, we attribute the greater comfort of the visitors, even during the periods when those rooms were more crowded than we had ever known them to be before.

The Committee have pleasure in stating that, with the exception of a few trifling articles mislaid, the goods were all returned in perfect order to their owners.

Annexed, we present, first, a list of the premiums which we conceive to be due, and which we recommend to the Board to award—secondly, the catalogue or invoice of the goods deposited—and thirdly, the reports of the Judges, many of which contain observations which we think will enrich the Journal of the Institute. They appear to have been, for the most part, drawn up with much more care than on former occasions.

Of the eighty-nine premiums proposed by the Institute, fourteen are adjudged to be due; by adding to these the fifteen extra premiums which the Committee think ought to be awarded, we obtain the number of 29, which we respectfully recommend to you to grant. They are as follows:

### *On Cotton Goods.*

1. Premium No. 54, for the best sample of rich chintz prints for ladies' dresses, not less than three colours, and not less than 5 pieces of 23 yards each; is due to Andrew Robison, of ——— for specimen No. 237, deposited by Hacker, Brown, & Co. which are remarkable for their firmness, colouring and elegance of execution.

2. Premium No. 57, for the best sample of two blue prints (same quantity to be exhibited,) is due to the Eagle Works of Bellville, N. J. for specimen No. 382, deposited by Gill, Ford & Co. which were the best and finest exhibited, and fully entitled to premium.

3. Premium No. 60, for the best sample of 4-4 fancy gingham, in imitation of the Scotch, of yarn No. 45 or upwards, not less than ten pieces of stripes and checks of equal lengths to be exhibited, is due to John Steel, of Philadelphia, for his specimens No. 266, manufactured from yarns from No. 60 to 80. The Committee understand that these are the finest yarns at present to be obtained in this market; and that this manufacturer deserves encouragement for the ability and industry which he has manifested.

4. Premium No. 49, for the best sample of white Canton flannel, 26 inches wide, not less than 200 yards to be exhibited, and to be superior to any before offered, is due to the Blockley Works of Philadelphia, for specimens No. 34, which were the best exhibited.

5. An extra premium is due to John Cult, of Patter-

son, N. J. for specimens, No. 187, deposited by Craig, & Sargeant, being six pieces of cotton canvass, which the Committee consider to be an object of great importance to the country. The experiments made on board of public and private ships, have established its character, and the attention of the public cannot be too frequently called to it.

6. An extra premium is also due to the Hon. John Forsyth, of Augusta, in Georgia, for the spirit of enterprise which has induced him to cultivate the variety of cotton from which the *Aerumina* nankeens were made. These goods (No. 104) deposited by Thomas & Martin, manufactured by Collet and Smith, of Patterson, N. J. are deserving of particular notice—as the color is said to stand the severest test, and as the extension of this variety of cotton bids fair to supply us with an excellent substitute for the India yellow nankeens.

7. In like manner, an extra premium is due to Collet and Smith, of Patterson, N. J. for the skill and ingenuity manifested by them in the manufacture of these nankeens, and for the success with which they have overcome the difficulties arising from the shortness of the staple, &c.

8. An extra premium is also due to Cunningham and Anderson of Richmond, Virginia, for specimen No. 415, deposited by Hacker, Brown, & Co. being their Bocheilas, dyed blue in this city. They are well calculated for a cheap wearing apparel, and being stout and well made, will supply a desideratum which has been anxiously looked for. These are also interesting to us, as being the first specimens of Cotton Goods received from a manufactory south of the Potomac; and being five pieces found in the ware-houses in this city, and not sent expressly by the manufacturers, they may be inferred to be a fair specimen of the goods they make.

9. Although premium No. 63 and 64, are not strictly due, yet the Committee think that the Newburyport Hose Manufacturing Company deserve a medal for their extensive display of Cotton and Worsted Hose and Drawers, No. 220 and 221, deposited by A. Wright; they are the first of the kind exhibited here in any quantity. They are substantially and well made, and deserve encouragement, as constituting another branch of Cotton Manufacture in this country.

Honorary mention is due to Cornelius Vancourt, a pupil of the Pennsylvania Institution for the Deaf and Dumb, for the beauty, fineness and finish of the checks No. 28, exhibited by that praiseworthy Institution. They are the best presented this year, but are precluded from the premium, because checks equally good have at former exhibitions been presented by the same institution and rewarded with a medal. The Committee understand that Vancourt is only 14 years of age, and has been but a short time in the weaving department of the Deaf and Dumb Institution.

To Joseph Smithurst, of Philadelphia, they also award an honorary mention for his jaconet cambric handkerchiefs, No. 334, which are woven of the best yarn now in the market; they are thought well made and deserving of notice.

#### *Woolen Goods.*

10. Premiums No. 73 and 74, on superfine blue and black cloth, and on \$3 blue cloth, are withheld, but the committee believe that an extra premium is due to the Oxford Manufacturing Company, of Massachusetts, for specimens No. 23, deposited by C. C. Haven, of which the judges report that "it is said to be of American wool; that it is the best specimen of Cloth at \$4 per yard, which they were called to examine; and that it will vie with any of foreign manufacture, as to texture, finish and mixture, in all of which it bears ample testimony to the skill and ability of the makers.

11. Premium No. 78, for the best sample of fine white gauze flannel, is due to J. and T. Kershaw, of Blockley, Pennsylvania, for No. 53, which was the finest specimen of this article that had ever come under

the notice of our judges: the wool is of the finest description, and the goods are remarkably well made, the only objection being a slight blueish tinge which should be obviated in any future manufacture of the article.

12. An extra premium is due to the Salisbury Manufacturing Company of Mass. for specimen No. 22, deposited by C. C. Haven, being a great variety of flannels, exhibiting all the different kinds and qualities made by them, and shewing a decided improvement in their manufacture; in the opinion of the judges they are in every respect equal to the imported article. The scarlets were particularly rich and brilliant in color.

13. An extra premium is due to Joseph Ripka, of Philadelphia, for his green summer Cloth, (No. 141,) cotton and worsted, the only imitation of the English of this description which has come under our notice. We consider this manufacturer as deserving of especial commendation, as well for this particular article as for his manufactures in general, which stand deservedly high in all markets of the Union.

14. Premium No. 62 is awarded to the Middlesex Manufacturing Co. of Lowell, Mass. for their merino cassimere, (No. 111, deposited by Lewis and Whitney) made of cotton and wool. It is the best specimen of men's summer wear exhibited, and is in every respect equal to the imported article; evincing great perfection of texture and finish, as well as superior style in putting it up.

15. Premium No. 84, is due, we think, to the Buffalo Manufacturing Company of New York, for specimen No. 24, deposited by C. C. Haven, being 2 pair of white Mackinaw blankets, which will, in every respect, compete with the foreign article.

An honorary mention is also due to the same Company for a large parcel of bed blankets, No. 469, which are considered equal to the best English blankets.

16. An extra premium is due to Col. John E. Colhoun, of Pendleton, South Carolina, for the specimens of blankets (No. 542) manufactured by him. The warp is of cotton, and the filling is of wool. These are very good samples of a coarse but substantial article, calculated for the use of negroes on plantations, and better than English goods of the same description. This is the first manufactory of the kind established in South Carolina, and deserves encouragement.

An honorary mention is due to Houston and Groveville, for specimen No. 188, being 5 pieces of mixed sattinets; the mixtures of which are remarkably well done, the fabric strong, and well cleaned from impurities and imperfections.

#### *Carpets.*

17. Premium No. 81, for the best sample of Venitian carpeting, is due to John McFee, of Philadelphia, for specimen Nos. 7, 8 and 9, being three pieces of 3-4, 4-4 and 5-8 Venitian carpeting, which is a superior article, and the best of American manufacture that our judges had seen.

18. Premium No. 82, for the best specimen of Brussels carpeting, is due to Samuel Given, of Carlisle, Pa. for specimen No. 21, deposited by John Hastings, being a piece of handsome and durable Brussels carpet, entirely of American manufacture and material. It is of excellent quality.

19. An extra premium is due to the Lowell Company of Massachusetts, for the handsome display of Brussels and ingrain carpets (Nos. 5, 6, &c.) deposited by C. C. Haven. The Brussels are made of foreign yarn, dyed in this country. The patterns are very handsome and tasteful, and the quality remarkably good. The ingrains are of superior quality, but not exclusively of American materials, the warp having been imported in the grease. Were these carpets exclusively of American manufacture and materials the premium would be due to them as a matter of course; under existing circumstances we think that Company has a just claim to a medal.

An honorary mention is due to Mr. Isaac Macaulay, of Philadelphia, for his beautiful piece of painted floor cloth (No. 432,) equal in durability and beauty to the English, as well as for his oil cloths for table covers (431 and 432,) superior to any imported. We should not hesitate in recommending them for premium, if Mr. Macaulay had not already twice received the medal of the Institute for similar goods. His manufacture needs neither praise nor encouragement from us, but we cannot withhold the expression of our admiration, at the perfection which he has attained.

We also recommend an honorary mention to Messrs. Doggett, Farnsworth, & Co., of Philadelphia, for their beautiful hearth rugs (No. 37,) which are much superior both in durability and workmanship to any other of American manufacture which we have ever seen.

An honorary mention is also merited by William Perry of Philadelphia, for his cotton carpets, (No. 96,) which are a low priced article, superior to any of the kind we have yet seen—and to C. Lachapella, of Philadelphia, for his ingrain carpets, No. 99.

#### *Silk Goods.*

Although the display of silks was very pleasing, and evinced increasing interest in this department, yet nothing was offered which deserved a premium. An honorary mention is, however, due to Joseph Ripka, of Philadelphia, for a specimen of black plush (No. 146,) made of American silk with but a small admixture of foreign material. It is remarkable for the quality of the silk, the excellence of the manufacture, color, &c.

#### *Straw Bonnets.*

20. Premium No. 83, for the best sample of straw bonnets, is due to Mrs. Elizabeth Henley of Philadelphia, for an article (No. 191) far superior to any exhibited here before. The judges united with the visitors in bestowing upon it unequalled praise.

#### *Iron and Steel.*

Specimens of both these articles were received, but the Committee are not prepared to express their opinion as to their merits as they are still in the hands of the judges undergoing a severe and thorough examination; but the Committee think that an honorary mention is due to Hardman Phillips, of Phillipsburg, Centre county, Pennsylvania, for the industry and skill with which he pursues his experiments on the manufacture of iron. The attempt to make it, using no other fuel than coke, leaves no room to question the advantages to our country of the introduction here of this hitherto exclusively European process of manufacture. The interesting collection (No. 302 et seq.) of coal, coke, hematite iron ore, with their products of pig-metal, bloom, wire, and screws, entitle him to the notice of the Institute. They were deposited by A. M. Jones.

#### *Cutlery and Surgical Instruments.*

21. Premium No. 38.—For the best set of table cutlery to consist of not less than 51 pieces, is due to Henry Barton for his handsome display of table cutlery, No. 192 to 195, including 162 pieces or three sets all equally well made, and which the Committee are assured were altogether forged and made in this country.

#### *Hardware.*

22. An extra premium is due to the Taunton Britannia Manufacturing Company of Massachusetts, for its handsome display of Britannia Ware (specimen No. 1) It is in every respect a superior, and was frequently mistaken for more costly metal.

Honorary mentions are due to Day and Shock, to M. Katez, and to Job Baker for their improved locks, the merit of which, noticed at previous exhibitions, has been confirmed by the personal experience of them by the judges: they consider them superior to any other kinds ever imported into the country, but still somewhat deficient in the latching.

Honorary mentions are also due to Robinson, Jones, & Co. of Attleborough, Massachusetts, and to J. M. L. and W. H. Scovill, of Waterbury, Connecticut, for their

buttons. They formerly received a premium for similar articles. Messrs. Robinson, J. & C., exhibited buttons in quantities of not less than 300 groce. There is no branch of manufacture in this country, the merit of which is at present so well established as that of buttons—the great improvement made in their manufacture during the last year have placed them upon the most permanent footing. Consuming a considerable quantity of the gold produced by our southern States, they have almost driven the English article from the market and have completely overcome the prejudice which too often attends the first use of our own manufactures.

An honorary mention is due to — White, of —, for his plains.

#### *Silver and Plated Goods, Glassware and Porcelain.*

The great perfection to which our silversmiths have attained render it inexpedient for the Institute to bestow its medals upon this branch of the Arts, otherwise a fine competition from the extensive workshops of Thomas Fletcher, Edward Lowne, Curry & Preston, and R. & W. Wilson all of Philadelphia, would have produced much embarrassment on the parts of the judges in deciding upon their respective merits. The Institute in under great obligations to these gentlemen for a really splendid display of the choicest silver urns, tea and coffee pots, cans, wine coolers, cake baskets, goblets, pencil cases, &c. &c.

In like manner the magnificent assortment of glassware from the New England Glass Manufacturing Company of Massachusetts, and the Union Glass Company of Kensington and Jackson & Bagot of New York, and the beautiful display of porcelain ware from Messrs. Tucker & Hemphill, of Philadelphia, show that all these establishments maintain the high reputation which they have already acquired and fully justify the encomiums and medals awarded to them at our former exhibitions.

Among the less showy but not less useful articles is the durable and cheap flint stone ware of Horner and Shuley, of New Brunswick, New Jersey, which are likewise deserving of honorary mention.

The Porter Bottles, made by the New England Glass Company, and deposited by Mr. Muzzy, are undergoing an experiment in order to determine their strength and merits. Until this is completed, we forbear to express an opinion on the subject.

#### *Stoves and Grates.*

23. Great interest has been manifested by the depositors, and visitors at the exhibition, as well as by the public at large, to ascertain the decision in relation to the stoves entitled to the high reward in premium No. 3, consisting not only of the usual medal, but also, of the sum of one hundred dollars which by the liberality of the proprietors of the Anthracite mines in Pennsylvania, was placed at the disposal of the Institute.

By the award of the highly respectable judges to whom this subject was referred, the premium is due to Powel Stackhouse, for his cast iron cooking stove, (No. 534) which is neat and compact, and will be very durable. It bakes and boils well, and the whole arrangement is good. Its fixtures are well made and consist of a large tin boiler for washing, a tin boiler and steamer for meat and vegetables and a tin tea kettle, to all of which copper tubes are attached, which pass through orifices made in the back and side of the stove, over the fire, and from which an abundance of heat is communicated to the contents of the several vessels. Under the grate is a convenient permanent sifter to separate the ashes from the coal. The stove will weigh 1 cwt. 2 qrs., and with the fixtures above, will cost \$15. It combines greater advantage than any now in use, and the fumes of the anthracite are not brought into contact with the food intended to be cooked. It therefore comes strictly within the terms of the premium except that the price is \$15, and not "under \$15," as proposed; but your committee unite with the judges in recommending to the board to overlook this slight discrepancy, and to award to Mr. Stackhouse the silver



dal and one hundred dollars, as soon as he shall have given satisfactory security to furnish within six months from this date, if required, fifty stores of similar construction and workmanship at that price.

#### *Lamps.*

24. Premium No. 24.—For the best and most extensive variety of mantle, astral, or hanging lamps, is due to Christian Cornelius, of Philadelphia, for his fine display of excellent lamps, but more especially for his splendid chandelier, (No. 364) which is believed to be the largest and most tasteful work of the kind that has ever been made in America. It combines large size, with perfect proportion and exquisite workmanship.

#### *Books, Paper and Stationary.*

25. Premium No. 19, not being strictly due to any of the depositors of paper, the committee recommend that an extra premium be given to the Brandywine Manufacturing Co. for their beautiful display of paper, (No. 392) deposited by Thomas Fisher, which is very superior, and deserving of great praise for its excellent quality, and various beautiful tints, as well as for the neatness with which it is put up.

An honorary mention is also awarded to R. Donaldson, of New York, for the fine assortment of foolscap, letter, scented, tinted, and embossed note and letter paper, which are of a very fine quality and highly creditable to the maker.

An honorary mention is likewise awarded to J. Edgar, of Philadelphia, and to David Fell, of New York, as well as to J. Crissy, of Philadelphia, for their good specimens of book binding.

#### *Cotton Seed Oil.*

26. Premium No. 14, is due to Joseph M. and Geo. Freeman, of Philadelphia; for their purified cotton seed oil, (No. 16 and 17) which is a new and successful attempt, and likely to become a very important article of trade.

#### *Fine Arts.*

27. Among the works of Fine Arts, few come before this society; but of those deposited at our exhibition, the wood cut engravings of objects of Natural History by Reuben S. Gilbert, (No. 179,) have appeared to us to entitle that young and estimable artist to the notice of the Institute; and we accordingly recommend that the silver medal be awarded to him.

#### *Cabinet Ware.*

The only sideboard offered to us was one by our fellow member of this board, C. H. White, (No. 404) who of course is not a competitor for a premium, but being assured that it is the sole and exclusive work of his foreman, David H. Bell, we recommend that an honorable mention be awarded to the latter for his beautiful workmanship.

The highest praise is also due to Michael Bouvier for a beautiful globe work-table, (No. 323) the design of which is new, and the workmanship exquisite. The handsome specimens of work from Joseph Barty and Anthony Quervelle fully sustain the high reputation of these annual contributors to our exhibitions. The secretary and book-case, (No. 125) and 126) made by an apprentice to Thomas Robertson, entitles the maker to an honorary mention, as it is a remarkable piece of work for one who has not yet been two years at the trade, and as it is veneered with our native ash. It is not our purpose to notice the splendid furniture deposited by Mr. White, as his situation in the Board precludes him from any claim to a compliment.

#### *Balances.*

We deem it just to award an honorary mention to J. Marshall, of Philadelphia, for a highly finished balance, (No. 515) of the more delicate kind used by apothecaries. The judges report that when loaded with an ounce avoirdupois, it was proved sensible to less than one fiftieth part of a grain.

#### *Thermometer.*

We also recommend that an honorary mention be awarded to Joseph Fisher, of Philadelphia, for his self-

regulating thermometer, (No. 311) the beauty of its execution having been specially noticed by the judges on Philosophical apparatus.

#### *Musical Instruments.*

28. An extra premium is due to F. N. Scherr, of Philadelphia, for his harp guitar, (No. 345) a new instrument made and patented by him, and for his Phyxharmonica, (No. 344) which is an instrument deserving of particular commendation, being well adapted for the parlour or hall, of sweet yet powerful tone, and of beautiful workmanship.

29. To Francis H. Smith, an extra premium is due for his Metrotone, (No. 189) and for his grand harmonicon, (No. 19.) The former is an instrument of ingenious contrivance, capable of describing to a well cultivated ear, thirty-six distinct sounds in one semi-tone. The latter, better known as the musical glasses, is a pleasing instrument, differing essentially from and superior to the musical glasses heretofore invented. The quality of the tone is rich, and with its sweetness combines great power.

Honorary mentions are due to Messrs. Loud and Brothers, Mickle, Meyer, and Scherr, of Philadelphia, and Geib, of New York, for a fine display of their Pianos, sustaining well the justly acquired reputation of these able manufacturers.

It is with reluctance that the Committee find themselves compelled to omit noticing many beautiful and ingenious fabrics which commanded the attention and elicited the admiration of the visitors; but they are precluded from doing it by the great length of this report. They will be all recorded in the catalogue of the exhibition now in the press.

The board cannot without injustice to their feelings omit to tender the thanks of the Institute to those numberless friends who kindly undertook the arduous duties of the Committee of arrangement, or the more unpleasant ones of judges: to the depositors for their liberal and enlightened co-operation in the views of the Institute; and to the public in general for the interest they manifest in our efforts, and of which so striking a proof was given by their favourable notice of this our Seventh Exhibition.

The Committee have the pleasure of informing the Board that they have succeeded in obtaining the requisite number of medals for this exhibition, and that they will be ready for distribution within a few days after the award by the Board, that is to say, as soon as the names of the successful competitors can be cut upon them.

The Committee expected to be able to announce that one of the most distinguished friends of manufactures in Pennsylvania had acceded to their invitation to deliver an address to the public on the occasion of the distribution of the medals—but motives of delicacy on his part, of which they cannot but approve, however much they may regret their effect, have induced that able friend of ours to decline the invitation, at least for the present.

All of which is respectfully submitted, by

WILLIAM H. KEATING,	J. HENRY BULKLEY,
JAMES RONALDSON,	SAMUEL J. ROBBINS,
M. W. BALDWIN,	ISAIAH LUKENS,
JOSHUA G. HARKER,	FREDERICK FRALEY,
	ALEXANDER FERGUSON.

At a meeting of the Board of Managers of the Institute, held Oct. 13, 1831, the above report was read and accepted, and on motion, it was

*Resolved*, That this Board approve of the award of premiums and honorary mentions recommended by the Committee of Premiums and Exhibitions, and it was ordered that the report be published under the direction of the Committee, and that the silver medals be delivered to the successful competitors, as soon as possible, and in such manner and form as the committee of premiums and exhibitions shall decide upon.

[Signed]

M. D. LEWIS,  
Chairman of the Board of Managers.

ANNUAL DISCOURSE  
DELIVERED BEFORE THE  
PENNSYLVANIA HISTORICAL SOCIETY.

By J. R. TYSON, Esq.

*Gentlemen of the Historical Society:—*

The honour which you have conferred upon me in the invitation to deliver your Annual Discourse, cannot but excite a lively anxiety and deep solicitude. To say that I distrust my ability to meet the most moderate expectations which may be formed, would but feebly express the sensations of diffidence with which the task is undertaken. These apprehensions are in no degree diminished by the recollection of the learned and distinguished gentlemen who have preceded me in the performance of this duty; nor by a reference to the fact that the most splendid and captivating portions of Pennsylvania story, have been appropriated in a manner which renders a further attempt at elucidation alike presumptuous and unnecessary. Relying however upon the favourable consideration which your selection bespeaks, I shall throw myself upon your indulgence while surveying a period which from its recency, its importance, and the moral fruits it has produced, must ever challenge the admiration of civilized and enlightened men.

Whatever attractions the early history of provincial Pennsylvania may present, the period of the revolution is big with wonders, whether we regard it in relation to the events which occurred and the impression it has produced, or as the era for the establishment of a new and independent government and the principles which thence emerged into practice. The patriarchal government of Penn, which excluded all commotions save occasional controversies terminating at most in an angry debate or a copious effusion of ink, gave place to a scene which was at once novel and perilous. Pennsylvania was not unacquainted with the foundations of her political rights, nor was she wanting in moral courage to assert and sustain them. Her enlightened freemen were sensible, that as the Charter of the Province emanated from the Royal prerogative, an attempt to impose burdens by the authority of Parliament was a palpable and unrighteous usurpation. The spirit which was kindled at this appearance of oppression, was the same spirit of liberty which, under another form, had resisted the encroachments of proprietary privilege, and manifested itself from the earliest stage of our provincial existence, in a noble jealousy for those immunities which were originally reserved in the social compact. It was that identical spirit which, whether true or false, examined with scrutiny the acts of Penn and his successors, and submitted to nothing which bore the least semblance of political encroachment or violated law. But when the flame of the revolution burst out, it was a wordy altercation no longer. The proprietary and popular parties crumbled into embers;—old feelings, antipathies, and prejudices ceased—or were so modified and changed that the traces of former difficulties were entirely obliterated. New views and opinions—hatreds more embittered, and friendships more deeply rooted—with their train of consequences, succeeded. It cannot be surprising, that on a question so momentous as that which involved the sudden disruption of political ties, there should be diversities of sentiment; nor that with a people who had enjoyed almost without interruption the pleasures of peace, there should be felt a repugnance to war. Attachment to the parent country as well as to existing establishments, was natural where both are recommended by the recollections of a free and happy ancestry, sanctified as these are by all those associations which render them endearing. If tyranny had left its impress upon domestic happiness or inter-

fered with the civil immunities of the people, the passions of resentment and animosity might easily have been excited into action. But the war of the revolution was essentially a war of principle, less for injuries inflicted which could be felt, than in anticipation of evils that were meditated or intended. In a contest of such a nature, which appeals only to the higher sentiments of enlightened reason; in a quarrel upon a provocation scarcely affecting the right of property, and not violating those of persons; it requires an elevation of moral character, an energy of political principle to enter the arena. To perceive abstract truth as reflecting men, and to reason upon indications as practical philosophers, is seldom given to a community at large. No higher evidences can be demanded of the moral and intellectual superiority of Pennsylvania and the other colonies, than the determined union of all classes against a gigantic power, for the purpose of effecting the rescision of a law, which, in its operation, was hardly perceptible.

Numerous, however, as were the adherents to the cause, and firm as were most in their allegiance to liberty, the feeling in Pennsylvania was not universal; and some from inveterate attachment to England, and more from the inflexibility of religious opinions, refused all participation. Factions of course, in a brief period, arose; and the whigs were sufficiently proscriptive to denounce as Tories all who did not join the belligerent party. The Friends or Quakers, who formed the largest portion of those who declined, were inimical to war upon a ground of religious belief, that non-resistance was a cardinal duty. But the furious spirit of the times was unable to brook any appearance of neutrality—they were upbraided as Tories or stigmatized as traitors, and two individuals were doomed to the sacrifice. Let me not be understood as reflecting censure upon the court which pronounced their culpability, nor as questioning the expediency of measures of sufficient rigour to paralyze any tendency which may have appeared to insurrection and rebellion. Situated as was the country in a war, the unfortunate issue of which would have degraded and ruined those who fomented it, it was necessary for the purposes of example, to restrain a spirit which no doubt existed, destructive of the high-minded patriotism and chivalrous designs of its magnanimous leaders. But this spirit was confined to a few. Its prevalence was naturally magnified at a stormy period, when 'the approach of tyranny,' as Burke expresses it, 'was snuffed in every tainted breeze,' and sectarian scruples had the opprobrious and alarming name of popular defection. Subsequent writers, particularly those of other states, have tried the virtue of repetition to perpetuate the error. Those of the Quakers who are obnoxious to the censure of actively opposing the colonies, or secretly abetting the enemy, are freely surrendered to just scorn and merited reprobation. But the number is diminutive, and it should no more be visited upon the sect at large than upon the reputation of the colony that was so unfortunate as to own them. If, as it has been contended, a spirit of opposition was more extensively discernable among the Quakers than among the other religious sects, it is rather attributable to a false application of fundamental principles than to the influence of affection for the parent country. As Christians they believed themselves bound to the preservation of peace, and the notion of considering an existing government in the light of an ordinance of God, worthy of obedience where it is just, and to be quietly submitted to where it is inequitable, involved the necessity of their taking no part in the quarrel.\* Whatever may have been the sentiments entertained of Great Britain in attempting to tax the colonies without their consent, it would have been incapable, upon the ground they assumed, to influence

\* Vide Appendix, Note 1.

their demeanor in reference to either of the conflicting parties. They were constrained to stand aloof from both, or which was tantamount in their estimation, their acts of friendship for one or the other, had no relation to the position of either, considered as belligerents. It presents a striking analogy to the case of oaths, which, independently of the truth of the testimony, as they are held by the Quakers to be forbidden, must in any event be peremptorily declined. In the extensive diffusion of the fact, that the Quakers as a body, did not participate in a sanguinary conflict, it seems to have been too frequently forgotten, that the business of a soldier is totally inconsistent with Quakerism, and that its assumption would imply the dereliction of a testimony which they hold to be sacred. Common justice requires that as well the reasons of their abstinence should be known, as that their forbearance was reciprocal, and only amounted to a strict and rigid neutrality.

Other circumstances have contributed to the perpetuation of this injustice, than those to which I have ventured incidentally to allude. The national feeling which was engendered by Pennsylvania's being the principal theatre of war—by being the locality of the first Congress—and by being the place whence emanated the Declaration of Independence—almost absorbed provincial attachments and local sympathies. Sectional predilections were exchanged for the brighter and more transcendent glory of the whole confederacy. The wise providence of her sisters in arms, while animated by the patriotic fire which sought to destroy the pretensions of Britain over the Union, did not permit them to be frigid upon the subject of their own reputations. They have blazoned their exploits in a hundred narratives and histories, and perhaps too sedulous of fame, have sometimes despoiled Pennsylvania of the laurels by which her brow should be adorned. Not content with assuming merits and gallantry which, perhaps, they legitimately claim, the disposition has been frequently observed to filch from Pennsylvania some of 'the mighty meed of her large honours,' by attributing to cowardice or torism the effect of religious tenets, and by ascribing to the state at large the disaffection of a few. During all this period—a period beyond half a century—we have so far acquiesced in the subject of these reproaches as to maintain the profoundest silence; and though *vires acquirit eundo*, not a production has appeared which aspires to the dignity of defending the purity and patriotism of her course by an authentic narrative. The materials for a history lie scattered in the richest profusion over works which, to the burning shame of our patriotic sensibilities, be it spoken, are seldom examined. That part of our story which is interwoven with the country, is accessible in every form in which it can be presented, by compilations of original documents—the attraction of personal memoirs—and the graver productions of elaborate histories. But where are the narratives of Pennsylvania in particular, subsequent to the year 1775? The total absence of any sober and authentic development of her transactions, sufferings, and services, has not been without its effect upon the currency of opinions involving the detriment of her revolutionary fame. Of the two histories which are extant, the one by Proud nominally terminates in 1770, and that by Gordon ends with the year 1775. It was reserved to Ebeling, a German, to illustrate the stirring events of the revolution, and to deduce our domestic annals to a recent period. This work, so little known to English readers except that small portion of it which is seen through the medium of an excellent translation by the venerable Duponceau, terminates in 1802. However worthy of commendation it may be regarded, considered in the light of a literary production, it was intended only to be general and succinct, and is the composition of a foreigner, who, removed from the scene of action and partaking of little of the spirit of the times, must frequently be at a loss to account for obvious occurrences, and can impart to

the subject little of that glowing interest of which, in the hands of an American, it is naturally susceptible. Just thoughts and harmonious periods can scarcely compensate for the absence of that *vis vivida* with which it should be drawn and coloured. The amusing and vivacious memoir by Graydon, is too loose in its facts and too rambling in their development and discussion, to supply so serious a desideratum.

The absence of a formal history during and since the revolution, has not only proved injurious to the fame of our civic patriotism, but it conveys a really mortifying reflection upon our indifference to national glory.—From the labours of this society; the accumulations of Mr. Hazard; and the curious researches of Mr. Watson; the historian can labour under no paucity of materials. The selection of an individual who is competent to such a task, by the charms of an elegant and finished English style—by philosophical studies—by liberal and enlarged views—is a matter of very general, even public concern. The reputation of a country and the moral influence of her example upon her cotemporaries and posterity, must essentially depend upon the ability of her historians. How can the one or the other of these be effected, but through the medium of a performance whose intrinsic and superior merits shall command the esteem of other countries and of other times? The brilliancy of great events, or the glare of imposing successes and dismal catastrophes, is not necessary to the preservation of a people's memory or the perpetuity of a people's influence. The nation whose opening effulgence and meridian splendor are embalmed in the pages of a Livy, and whose decrepitude and decline are recorded by the pen of a Tacitus, is less indebted for her fame to the power of her arms and the wisdom of her counsels than to the elegance of her historical authors. Would not the bays of ancient Greece long since have been faded or obscured, if the genial and kindly influences of Homer, Herodotus, and Thucydides had been withdrawn? Such events as the Persian and Peloponnesian wars and the expeditions of Alexander, which comprise the principal exploits of that celebrated people during the lapse of three centuries—illustrious as they are,—may have been surpassed by nations whose memory, not perpetuated by genius, is lost in the mists of remote antiquity. A smile may perhaps be excited at an allusion to the ever enduring fame of Greece and Rome, with relation to the domestic transactions of Pennsylvania; but it would not be improper before the contemptuousness of ridicule be indulged that our history, before, daring, and since the revolution, be fairly examined and truly known. Genuine philosophy unfettered by the trammels of education and uninfluenced by eclat, will coolly scan premises and investigate facts, before she will pronounce a decisive judgement. In imitating this prudence let us be guided by no blind or vainglorious partiality, but contemplate with calmness, some of the broad lines of the images which it will be the duty of our historians to exhibit.

It is not my intention here to advert to her early history, nor to refer to the noble-minded pioneers of the wilderness to decry the germ of a race, destined to an elevation of fortune remarkable throughout future time. I am to speak of her history from that period when her existence as a separate nation commenced—when there was a dissolution of former ties—and when new sympathies and connexions sprang into being. The revolution of Pennsylvania, by a self-devotion to the cause which could only have originated in the conviction of its justice, was marked by domestic distresses, both personal and pecuniary, which would have cooled the ardour of any people in whose breasts liberty was not an unextinguishable principle. The general destitution, and unfitness for war, has been well described by the Canada Major in Graydon, that we possessed "commissaries without provisions; quarter masters without stores; generals without troops; and troops without discipline." Notwithstanding all these motives to despon-



dency, which from the actual presence of the enemy must have operated more directly in Pennsylvania than in the sister colonies, the flame that was kindled diffused itself with incredible rapidity, and burnt with a bright and constant lustre. She offered herself for immolation upon the altar of liberty, and was a consenting victim to the sacrifice, if it should be necessary to the salvation of the country. But though the revolution itself, both for the purposes of truth in the removal of unmerited obloquy, and the exhibition of our civic spirit under the pressure of calamitous times, be a glorious theme for historical narrative and commentary, yet it is but an epoch whence commences a new order of things equally calculated to elicit the admiration of the world.

The Congress of the United Colonies, having declared their independence, recommended by a manifesto that conventions should be held to establish their respective governments upon a republican basis. The same month witnessed a compliance with the recommendation of Pennsylvania, and the Constitution of '76 which was the consequence, recognized those great principles of political right which, in all natural codes, must be regarded as fundamental. Four years afterwards, in further vindication of those immunities which, in common with the confederated colonies, she had solemnly declared were inalienable, means were taken to annihilate the odious incongruity of legal bondage by conferring upon negroes and mulattoes, the boon of liberty and the privilege of denization. It may create surprise, that this act of justice was so long delayed; but the extensive prevalence of slavery seems to have rendered our commonly just and clear-sighted progenitors, for a long period, indifferent to its flagrant inconsistency and odiousness. Even a majority of the Quaker sect so late as the year 1688, declined responding to the sentiment entertained by a number of their brethren in Germantown, that slavery was inconsistent with the Christian faith; and it was not until 1696, that Keith and his adherents denounced the institution as unjust and irreligious. As soon as its impropriety became apparent, this great object employed the pens and tongues of our philanthropists, with the fervour and animation of a good cause, and all who have investigated the history of its progress will ascribe to the efforts of Friends successfully aided by Southey, Sandiford, Lay, Woolman, and Benezet, the merit of its final accomplishment.\*

Soon after the struggle had terminated by the recognition of independence, Pennsylvania, true to the principles of her early policy, began to remodel her civil jurisprudence by rendering it more consonant with the suggestions of unsophisticated reason, and the practical doctrines of modern times. The common and statute law of England blended together as they are—administered in different tribunals under the guidance of different and conflicting principles—and handed down from ages characterized by quaintness and absurdity—was thought in many of its features to be unsuitable to a country whose political maxims and forms of government were so contrariant and dissimilar. By virtue of the charter granted by Charles 2nd to William Penn, the criminal code and those civil regulations of Great Britain which were applicable to the condition of a new country, were to prevail till changed by the colonial legislature. Numerous alterations were made, which display the republican tendencies of the province, and the views that were entertained in relation to the laws of England. The refusal to erect a Court of Chancery, the destruction of the rule of primogeniture; the declaring of navigable rivers public highways; the provisions in relation to wills and testaments and the registry of deeds and mortgages; altered the complexion of the English code in most of its distinguished features. It was not deemed necessary, immediately after the revolution, to do more than re-enact what had existed be-

fore, and to leave to observation and experience the labour of correcting further improprieties and abuses. By the Declaration of Independence, the force of British authority as such, was destroyed in the United Colonies, and of course British adjudications made subsequent to the 4th of July, 1776, had no validity in our Courts of Justice. The improvements since introduced into this state, are so numerous and various that it would require a volume to define and expound them with that perspicuity and precision which the magnitude of the subject implies. Suffice it that the abscision of that chain of legal fignments which are requisite to sustain the action of ejectment in England—the introduction of *short pleading*—the permission to file a plain statement of the cause of action in lieu of a technical *declaration*—the ample provisions which have been made for amicable and compulsory arbitration—and the ingraftment of the principles of scientific equity into the body of the Common Law,—have contributed to render the forms of our jurisprudence less entangled and perplexed to the popular vision, and more conformable to the common sense of mankind. In the prosecution of that reform whose spirit is so observable in each successive act of the legislature, it would not be surprising if a great and fundamental change should be made in the administration of civil justice: Without venturing to express an opinion whether *codification* so popular at the present day, should be ultimately adopted or be really desirable, we may confidently leave it to the very able jurists, to whose hands is committed the preparation of a modified system. As it stands with all its imperfections, it has received the involuntary homage of English lawyers, in the proposition to transfer without acknowledgment, many of its provisions into their own jurisprudence. The most beautiful feature in the scheme perhaps, is the combination of the rules of Chancery with the doctrines of the Common Law, by which most of the benefits of equity proceeding, are realized and secured without any of the inconveniences arising from a separation of the two jurisdictions. The origin of this incorporation has been ascribed to the establishment of a provincial judicature which, in the year 1684, amalgamated the principles of both. No evil should be more vigilantly guarded against, than opposition in the sentiments of a community to the legal system; and what has a stronger tendency to create disrepute, than the spectacle of two tribunals, acting upon inimical principles, and arriving at opposite results? The maxims which govern a Court of Equity are frequently incompatible with the rigid doctrines of the Common Law, and the decrees of the Chancellor are sometimes found in direct contravention of the ordinary tribunals. It has been the difficult task of our judiciary slightly assisted by the legislature, to reconcile these discordant elements, and reduce them into a harmonious union.

By a long succession of decisions the two have been combined upon systematic rules, adequate to almost every emergency, and yet not encroaching upon the established landmarks of the law. The chancery powers to perpetuate testimony; to obtain evidence out of the state; to superintend the persons and property of *non compos mentis*; and to compel indirectly the specific performance of a contract; are powers in habitual exercise, and all except the last, conferred by the Constitution. It is true, we do not possess the chancery appeal to the *conscience* of a defendant, except so far as relates to affidavits of defence; nor the prohibitory writ of *injunction*, except the legislative writ of *estrepement* issued during the pendency of an ejectment to prevent the commission of waste. But the loss of these is seldom felt in practice, since they are partly supplied by the provisions referred to, and the flexible nature of the system itself, which would, no doubt, enable the Court to apply a remedy where otherwise there would be a failure of justice. To perfect what his predecessors had begun, the late learned and amiable Chief Justice of

\* Vide Appendix Note 2.

Pennsylvania, lent all the resources of his well disciplined and discriminating mind. Without entertaining any wild and chimerical notions of equity, inconsistent with the general doctrines of a technical science, he strove to attain all the advantages, while he studied to avoid the imperfections, resulting from the separation of the two tribunals. In reserving the application of equity to those anomalous cases which the general law did not seem to contemplate, or to which it had denied a remedy, he has attempted the erection of a structure laid upon the most solid and broad foundations. It only remains that the distinguished individuals who survive him upon the bench, or who have been subsequently appointed, shall prosecute what has been so nobly begun, and nothing can prevent its attaining the ultimate end of all law—the dispensation of substantial justice.

But it is not merely the civil branch of our jurisprudence upon which we can dwell with complacency. Our criminal system has undergone revision and amendment, and presents in its punitive features a spectacle which is certainly pleasing, when compared with the sanguinary inflictions which at once deform and disgrace the European codes. I would not be understood as attributing the origin of this reformation to the revolution, for mild punishments have always been acceptable to Pennsylvania, and existed from the settlement of the province to the year 1718. Upon the death of Penn, the vindictive rigour of the English penalties was substituted for a code, the lenient provisions of which excluded the punishment of death from all offences except the most flagitious grade of felonious homicide. Soon after the authority of the mother country which imposed this odious system upon her infant charge, was abolished, the legislature complied with an injunction of the Constitution of 1776, touching the mitigation of her penal enactments. The act of 1786, besides assuaging the punishment of crimes which were not capital before, and removing the penalty from three high offences, rescinded those foul provisions of British law, which denounced confiscation for death by casualty, and the forfeiture of the estate of a *felo de se*. The humane clemency of this law was not only preserved in the succeeding acts of 1790 and 91, which accelerated the work of reform so propitiously advanced, but the latter, with a laudable boldness and praiseworthy liberality, struck from existence the ridiculous crime of conjuration, and the barbarous proceedings of the law of England in cases of *muteness* and *contumacy*. For the purpose of aiding the legislature with the voice of experience, a legal gentleman well fitted for the task, was appointed to report upon the operation of the mild laws which had already been enacted. The report presenting such a mass of facts in reference to the diminution of crime, and pervaded as it was by philosophical remarks upon the legitimate objects of punishment, elicited the great revolutionary statute of 1794, which changed the whole aspect of our penal jurisprudence. The unwarrantable distinction between petit treason and ordinary murder was stricken from the statute-book, and death was reserved for that felonious atrocity which is displayed in the commission of deliberate and premeditated homicide.\* Recent circumstances have shown that, notwithstanding the inefficacy of this kind of retribution as a remedy; its repugnance to the sentiments of the people; and the great example of the Duke of Tuscany, in whose dominions it is repealed; our legislature is not prepared to efface the blot from our code. But it must not be forgotten that those improvements in our penitentiary discipline, which have led to an abridgment in the terms of incarceration, suggest additional reasons for the abolition of so odious and revolting a punishment.

As a consequence of this penal reform, at once concomitant and inevitable, the economy of prison police, claimed early and lively attention. After intense labor

and large expenditure, philanthropists have been gratified with the recognition of the principle of total seclusion in the erection of buildings devoted to this object. A history of the efforts made to accomplish this great undertaking, and the distrust which is still manifested in relation to its ultimate effects, would furnish an instructive commentary upon those tendencies of the human mind to adhere to opinions founded upon a plausible theory, or recommended by a high antiquity. The plan of separate confinement originated with "The Philadelphia Society for alleviating the miseries of Public Prisons," whose birth was so early as 1776; but the prosecution of its benevolent designs being obstructed by the British army, it languished till 1787, when it was re-organized under the title which it still retains. The perseverance of the beneficent Howard in so uninviting a sphere, is not more remarkable than the indefatigable philanthropy by which the members of this association have ever been animated and distinguished. Many of the meliorations in our criminal policy are justly attributable to their exertions, as well as that improvement in prison discipline to which I advert.—For the purpose of ascertaining the nature and importance of the alterations which were from time to time introduced, as well as the character of what is now accomplished, it is indispensable to refer to the old system in vogue. Under the sanguinary code of Great Britain it was thought unnecessary to devote much attention to the internal economy of prisons, since, to great numbers of their inmates, they were merely anti-chambers to the gallows. To many they were places of very temporary residence—the sojournment of a few brief nights. The unfortunate, but perhaps respectable debtor; the depraved and abandoned felon; the young delinquent; the hardened offender; and all, without distinction of crime or sex; were immured in a close and corrupting assemblage. The only consequences of an intercourse so promiscuous, unnatural, and disgusting, were the increase of guilt and the destruction of innocence. Though the advantages of complete separation, of entire solitude, were perceived at an early period, the Society was satisfied with the removal of the debtors, the separation of the sexes, and the classification of the prisoners, according to their ages, and the turpitude of their offences. These alterations, and others of minor magnitude, were accomplished by the several Acts of Assembly, passed in 1786, '90, and '93. Posterior statutes for the erection of a Biddlewell, and the slight modifications in prison police, all look with an unwavering eye to the great object of hard labor and unmitigated privacy. It was not until the year 1818, that the legislature recognized the principle of solitary confinement, by appropriating money for a penitentiary upon that basis, for the western extremity of the state. That penitentiary, and the one commenced in the year 1821, at Philadelphia, are now in successful operation, silently eloquent by their effects in removing the doubts of the timorous, and demolishing the fallacies of the unfriendly. A paramount difficulty which the adherents of solitary confinement encountered, was, to defend it against the advocates of the Auburn prison at New York—a plan which is borrowed from the *Maison de Force* of the Netherlands, and which has received from its friends in Europe the most unqualified approval. While it may be admitted to be superior to the European establishments; and possessing recommendations of an imposing order, it need not be concealed that in some of its features it is opposed to the spirit of Pennsylvania policy, and that the adoption of it here would have been a positive retrogression. The discipline is enforced by severe flagellation, inflicted for the slightest violation of prison law, which prohibits all ocular and oral communication among the prisoners. According to the practice in Pennsylvania, ever since the year 1794, the intercourse had not been constant but occasional, since confinement to solitary cells had formed a portion of almost every judicial sentence. The ignominy of corpo-

\* Vide Note 3, in the Appendix.

ral correction, so revolting to the natural sensibilities, and so inimical to the genius of our institutions, was abandoned with disgust by our legislature, as early as 1795. As the prevention of intercourse at Auburn is proved to be impracticable by its continuance in the face of the most relentless rigour, the scheme was believed to have defects which we sought to obviate, and to possess but the single advantage of separate dormitories over the old one prevailing in Pennsylvania. The experience of nearly two years, during which period the Eastern Penitentiary has been the recipient of convicts, has been shown, from abundant testimony, to justify the sanguine predictions of its friends. The mental power remains unaffected by privacy, except that the heart is chastened and the passions are subdued. The health is invigorated, and industry confirmed by toil voluntarily pursued to beguile the tedium and drive away the *ennui*, inseparable from idle seclusion. As the persons of the unfortunate criminals are unknown to each other, no obstacle upon enlargement, can prevent the establishment of character, nor the reduction into practice of those virtuous resolutions which were suggested and formed in the retirement of solitude. \*

But the historian of Pennsylvania will not merely do justice to her prowess, patriotism, and sufferings during an eventful era, and illustrate the symmetry of her political form, her civil jurisprudence, her criminal code, and penitentiary discipline—but with a more comprehensive eye he will survey the peculiarities of her physical and mental condition as displayed in the facilities presented for internal commerce and the conveniences of life—in the refinement of manners and cultivation of literature and the arts. He will look abroad for those exhibitions of enterprise or indications of sloth, those monuments of taste or memorials of barbarism, which lie scattered over the physical surface in the forms of thoroughfares, improvements, and pursuits; or are buried in the maxims upon which social conduct is regulated, and the various performances emitted from the press. This opens to a liberal mind, a wide field for bold conjecture, and philosophical commentary. It must try, to their utmost tension, the powers of description and narrative, and put in requisition all the resources of study and thought. In attempting a rude sketch of the extensive region he must explore, I can only exhibit some faint conceptions of the scene which may be drawn by a competent pencil upon a larger canvass.

The physical arts which administer to the necessities and conveniences of life, are pursued with ardour and success in all their diversities. From the manufacture of the simplest instrument of labour up to the great designs of architecture and ship-building, the ingenuity of our mechanics and artists suggests a theme for the proudest eulogy. Those portions of the soil which present inequalities of surface, and are not teeming with vegetable esculents, abound in rich and precious minerals. In a country whose territory is so extensive, and whose sources of wealth lie in distant places and almost impervious tracts, it seemed necessary that nature should be assisted by the exertions of genius and art. To give these facilities the *internal improvements* of the state were commenced, and to her may be ascribed the distinguished honor of having expended more than any state in the Union in these improvements, and of setting a splendid example in the construction of turnpikes and bridges, of canals and rail-ways. It has been estimated that since the year 1791, the disbursements of the treasury and of corporations for these objects, have amounted to about 37,000,000 of dollars. Since the year 1792, 163 companies have been incorporated for the purpose of constructing *turnpikes*, and it has been calculated that passable roads have been made by these societies to the extent of about 3000 miles. The first turnpike commenced in the Union is said to be that which extends from Philadelphia to Lancaster, and by its con-

nection with roads subsequently made, a continuous line of turnpike now extends from Trenton upon the Delaware, to Steubenville in Ohio. The cost of this thoroughfare which stretches a distance of 343 miles, including the bridges on the way, has been ascertained to transcend the celebrated road of Napoleon over the Simplon. The number and superiority of the bridges of Pennsylvania, have given rise to the appellation, "The State of bridges." Upwards of 70 corporations exist in different sections of the state, and by those which have gone into operation, 63 bridges\* have been erected at an expense exceeding \$3,000,000. Of all the structures of this kind in America, the Permanent Bridge over the Schuylkill at Philadelphia, erected by a society incorporated in 1798, is the most substantial and magnificent. The foundation of the western pier is laid more than 40 feet below the level of the river's surface—a depth surpassing any bridge of modern times. It may be observed that the introduction of chain bridges into Europe, where they have wonderfully multiplied, was induced by the success of a novel enterprise undertaken in 1816, by Messrs. White and Hazard, who suspended a bridge composed of iron wires over the Schuylkill, in the form of a catenary curve. The idea of facilitating communication in Pennsylvania by means of canals, though not carried into execution until after the revolution, was suggested by the genius of her founder. With a sagacity which nothing could elude, Penn discovered the feasibility and foresaw the importance of connecting "by water" the river Susquehanna with a branch of the Schuylkill. The suggestion is the more remarkable since at that early period canals and turnpikes were unknown in Great Britain. The distinction of introducing the subject of canals to public attention has been conferred upon Pennsylvania, by a writer of very respectable authority. † Without mooted the question whether the completion of any of these undertakings was anterior to all others in the United States, it is sufficient to mention as some evidence of the spirit which animated Pennsylvania, that David Rittenhouse and Dr. Wm. Smith, in 1762 levelled and surveyed the route for that communication by water, which has since been accomplished by the Union Canal; and that the Philosophical Society in 1764 ordered a survey for a canal to connect the waters of the Chesapeake and Delaware. The projectors of the former work, entertained views of the most imposing and gigantic description. They had the boldness to contemplate a junction of the eastern and western waters of Lake Erie, and of the Ohio and Delaware, a distance of 580 miles,—opposed as was the project by the intervention of the Allegheny mountains, and by the difficulties of penetrating the almost illimitable wilds of the great valley of the Ohio and Mississippi. In the year 1791, about a century after the idea of water communication had been started by Penn, the actual commencement may be dated of those daring projects in Pennsylvania, which now intersect and unite almost every important part of the country. The first act passed in America for the construction of a railway, was that by our legislature in granting permission to Mr. Stevens and others to connect Columbia on the Susquehanna with Philadelphia. This enterprise, which the State has completed, in consequence of its abandonment by the individuals to whom the authority was given for its execution, was only the precursor of others which shall connect, by a continuous railway, the Delaware with the Ohio and the Lakes.

This reference, meagre as it is, to the practical capabilities of Pennsylvania, and the liberality which has marked her career in public improvements, furnishes some index to the manners and intellectual condition of her people. It is a subject of surprise and regret, that an opinion so erroneous should prevail in some of the

\* See Note 4, in the Appendix.

\* See Appendix, Note 5.

† Appendix, Note 6.



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prevalence of a different doctrine. They were still subjected to the power of their unrelenting superiors—not merely as the ministers of a fickle and varying volition, but as the victims of a sore and oppressive tyranny. Notwithstanding the solicitude of many, and the active guardianship of some, in regard to their physical welfare, they seem, in particular cases, to have suffered from their unfeeling masters, thus constituted the absolute disposers of their happiness—the potent and uncontrolled arbiters of their destiny.

In bondage thus hopeless and unlimited, they became deprived in morals and low in intellect. To soften their hard fate, Penn was willing to substitute the provisions of legislative authority for the invidiousness of arbitrary or personal caprice—in a word, to restrain by legal prescription those who had defied it. Hence his acquiescence in the act of 1700. Though in its features it accorded with the erroneous opinions which prevailed respecting the ingenerate depravity of negroes, and the necessity of subjecting them to severe inflictions, it was intended to be and actually proved beneficial to their interests. In effect it palsied the uplifted arm of a cruel and despotic master by interposing the shield of legislative uniformity and certainty. That a regard to their welfare was the principle upon which it was ratified, is evident from the anxiety of Penn to alleviate their physical discomforts, and to arouse their moral and religious sensibilities. His efforts to engage in their behalf the more lively sympathy of Friends in a monthly meeting held at Philadelphia,\* and his presentation of a bill to the assembly "for regulating negroes in their morals and marriages,"†—both in the year 1700—bear emphatic testimony to the philanthropy which dictated, and the motives which induced his concurrence in the act referred to, since it was presented to the assembly in the same year and about the same period.

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\*Proud's History of Pennsylvania, Vol. 1. p. 423, †Gordon's History of Pennsylvania, p. 115.

ral correction, so revolting to the natural sensibilities, and so inimical to the genius of our institutions, was abandoned with disgust by our legislature, as early as 1795. As the prevention of intercourse at Auburn is proved to be impracticable by its continuance in the face of the most relentless rigour, the scheme was believed to have defects which we sought to obviate, and to possess but the single advantage of separate dormitories over the old one prevailing in Pennsylvania. The experience of nearly two years, during which period the Eastern Penitentiary has been the recipient of convicts, has been shown, from abundant testimony, to justify the sanguine predictions of its friends. The mental power remains unaffected by privacy, except that the heart is chastened and the passions are subdued. The health is invigorated, and industry confirmed by toil voluntarily pursued to beguile the tedium and drive away the *ennui*, inseparable from idle seclusion. As the persons of the unfortunate criminals are unknown to each other, no obstacle upon enlargement, can prevent the establishment of character, nor the reduction into practice of those virtuous resolutions which were suggested and formed in the retirement of solitude.\*

But the historian of Pennsylvania will not merely do justice to her prowess, patriotism, and sufferings during an eventful era, and illustrate the symmetry of her political form, her civil jurisprudence, her criminal code, and penitentiary discipline—but with a more comprehensive eye he will survey the peculiarities of her physical and mental condition as displayed in the facilities presented for internal commerce and the conveniences of life—in the refinement of manners and cultivation of literature and the arts. He will look abroad for those exhibitions of enterprise or indications of sloth, those monuments of taste or memorials of barbarism, which lie scattered over the physical surface in the forms of thoroughfares, improvements, and pursuits; or are buried in the maxims upon which social conduct is regulated, and the various performances emitted from the press. This opens to a liberal mind, a wide field for bold conjecture, and philosophical commentary. It must try, to their utmost tension, the powers of description and narrative, and put in requisition all the resources of study and thought. In attempting a rude sketch of the extensive region he must explore, I can only exhibit some faint conceptions of the scene which may be drawn by a competent pencil upon a larger canvass.

The physical arts which admit nister to the necessities and conveniences of life, are pursued with ardour and success in all their diversities. From the manufacture of the simplest instrument of labour up to the great designs of architecture and ship-building, the ingenuity of our mechanics and artists suggests a theme for the proudest eulogy. Those portions of the soil which present inequalities of surface, and are not teeming with vegetable esculents, abound in rich and precious minerals. In a country whose territory is so extensive, and whose sources of wealth lie in distant places and almost impervious tracts, it seemed necessary that nature should be assisted by the exertions of genius and art. To give these facilities the *internal improvements* of the state were commenced, and to her may be ascribed the distinguished honor of having expended more than any state in the Union in these improvements, and of setting a splendid example in the construction of turnpikes and bridges, of canals and rail-ways. It has been estimated that since the year 1791, the disbursements of the treasury and of corporations for these objects, have amounted to about 37,000,000 of dollars. Since the year 1792, 168 companies have been incorporated for the purpose of constructing *turnpikes*, and it has been calculated that passable roads have been made by these societies to the extent of about 3000 miles. The first turnpike commenced in the Union is said to be that which extends from Philadelphia to Lancaster, and by its connection

with roads subsequently made, a continuous line of turnpike now extends from Trenton upon the Delaware, to Steubenville in Ohio. The cost of this thoroughfare which stretches a distance of 343 miles, including the bridges on the way, has been ascertained to transcend the celebrated road of Napoleon over the Simplon. The number and superiority of the bridges of Pennsylvania, have given rise to the appellation, “The State of bridges.” Upwards of 70 corporations exist in different sections of the state, and by those which have gone into operation, 63 bridges\* have been erected at an expense exceeding \$3,000,000. Of all the structures of this kind in America, the Permanent Bridge over the Schuylkill at Philadelphia, erected by a society incorporated in 1793, is the most substantial and magnificent. The foundation of the western pier is laid more than 40 feet below the level of the river’s surface—a depth surpassing any bridge of modern times. It may be observed that the introduction of chain bridges into Europe, where they have wonderfully multiplied, was induced by the success of a novel enterprise undertaken in 1816, by Messrs. White and Hazard, who suspended a bridge composed of iron wires over the Schuylkill, in the form of a catenary curve. The idea of facilitating communication in Pennsylvania by means of canals, though not carried into execution until after the revolution, was suggested by the genius of her founder. With a sagacity which nothing could elude, Penn discovered the feasibility and foresaw the importance of connecting “by water” the river Susquehanna with a branch of the Schuylkill. The suggestion is the more remarkable since at that early period canals and turnpikes were unknown in Great Britain. The distinction of introducing the subject of canals to public attention has been conferred upon Pennsylvania, by a writer of very respectable authority.† Without mooted the question whether the completion of any of these undertakings was anterior to all others in the United States, it is sufficient to mention as some evidence of the spirit which animated Pennsylvania, that David Rittenhouse and Dr. Wm. Smith, in 1762 levelled and surveyed the route for that communication by water, which has since been accomplished by the Union Canal; and that the Philosophical Society in 1764 ordered a survey for a canal to connect the waters of the Chesapeake and Delaware. The projectors of the former work, entertained views of the most imposing and gigantic description. They had the boldness to contemplate a junction of the eastern and western waters of Lake Erie, and of the Ohio and Delaware, a distance of 580 miles,—opposed as was the project by the intervention of the Allegheny mountains, and by the difficulties of penetrating the almost illimitable wilds of the great valley of the Ohio and Mississippi. In the year 1791, about a century after the idea of water communication had been started by Penn, the actual commencement may be dated of those daring projects in Pennsylvania, which now intersect and unite almost every important part of the country. The first act passed in America for the construction of a railway, was that by our legislature in granting permission to Mr. Stevens and others to connect Columbia on the Susquehanna with Philadelphia. This enterprise, which the State has completed, in consequence of its abandonment by the individuals to whom the authority was given for its execution, was only the precursor of others which shall connect, by a continuous railway, the Delaware with the Ohio and the Lakes.

This reference, meagre as it is, to the practical capabilities of Pennsylvania, and the liberality which has marked her career in public improvements, furnishes some index to the manners and intellectual condition of her people. It is a subject of surprise and regret, that an opinion so erroneous should prevail in some of the

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The notion of the great expense attending the mode of treatment, for which Roberts Vaux contended in the controversial discussion between him and William Roscoe of Liverpool, is very satisfactorily shown to be erroneous. I quote from Mr. Vaux's first letter:\*

"By separate confinement, other advantages of an economical nature will result; amongst these may be mentioned a great reduction of the terms of imprisonment: for, instead of from three to twenty years, and sometimes longer, as many months, excepting for very atrocious crimes, will answer all the ends of retributive justice and penitential experience, which on the actual plan, the greatest detention in prison fails to accomplish. Besides this abatement of expense in maintaining prisoners, very few keepers will be required on the new system, and as the females would be entrusted wholly to the custody of suitable individuals of their own sex, their services can of course be secured for less compensation than men. Such of the prisoners as may be employed, will necessarily labour alone, and the kinds of business in which they will be engaged, not being rough and exposing as those now adopted, the expenditure for clothing must be much diminished. On the score of cost, therefore, it that, indeed, be an object in a work of this magnitude, the solitary plan recommends itself to the regard of the public economist. *But the problem of expense in my opinion, can only be truly solved, by showing the cheapest method of keeping the prisoners to be, that which is most likely to reform them, to deter others by the imposing character of the punishment, from preying upon the honest and unoffending members of society, afterwards involving heavy judicial costs to establish their guilt—and becoming at last a charge to the country as convicted felons.*"

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(NOTE 7.)—Several poets of inferior note are spoken of who lived about this time. David James Dove was a schoolmaster at Philadelphia, and a dealer in the minor kind of satirical poetry. He taught about the period of the revolution, and is ludicrously introduced in a book entitled 'The life and adventures of Chevalier Taylor.' This Taylor he it remembered, is spoken of as a talker of Latin in Boswell's life of Johnson.

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"Quid foret Æneas, et magni nominis Ajax,  
Atque alii quorum sunt nomina multa virorum;  
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Ni benefacta sui celebrasset carmen Horati,  
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Some of the ushers of this pedagogue were superior to himself. Patrick Alison, afterwards a Presbyterian Clergyman of Baltimore, of more than common reputation, James Wilson, afterwards a distinguished judge of the Supreme Court of the U. S., and John Andrews, afterwards Doctor Andrews of the University of Pennsylvania.

(NOTE 8.)—The first Directors of the Philadelphia Library were Benjamin Franklin, William Parsons, Thomas Godfrey, Thomas Cadwallader, Robert Grace, Thomas Hopkinson, Philip Syng, Jun., Anthony Nicholas, John Jones, Jun., and Isaac Pennington. They were appointed in November 1731. In 1777 the institution was enriched by the munificent bequest of the Hon. James Logan, with 5944 volumes, most of them old authors of sterling merit. An act of the Legislature in 1791 annexed the Loganian to the Philadelphia Library, and the books were placed in the same building in May, 1794.

(NOTE 9.)—The American Philosophical Society for promoting Useful Knowledge, was formed by the junction of two societies, the one called 'The American Philosophical Society,' and the other 'The Junto, or Society for promoting Useful Knowledge.' The former was instituted in 1743, and the latter was in existence in 1758. I perceive that Dr. Mease in his excellent 'Picture of Philadelphia,' has dated the origin of this society in 1766, but a minute book of proceedings is extant reaching so far back as 1758, and it is probable the Junto had a still earlier commencement. The union was formed by combining the names of both associations, and exchanging lists of the members of each. The combination took place in December 1768, and Dr. Franklin was elected first President of the united society. It was incorporated in 1780. In 1816 a

\* See the letter entire, in Reg. vol. 6, page 282. Ed.



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Et Maro munificum cecinisset gratulus animum?" &c. &c.

Some of the ushers of this pedagogue were superior to himself. Patrick Alison, afterwards a Presbyterian Clergyman of Baltimore, of more than common reputation, James Wilson, afterwards a distinguished judge of the Supreme Court of the U. S., and John Andrews, afterwards Doctor Andrews of the University of Pennsylvania.

(NOTE 8.)—The first Directors of the Philadelphia Library were Benjamin Franklin, William Parsons, Thomas Godfrey, Thomas Cadwallader, Robert Grace, Thomas Hopkinson, Philip Syng, Jun., Anthony Nicholas, John Jones, Jun., and Isaac Pennington. They were appointed in November 1731. In 1777 the institution was enriched by the munificent bequest of the Hon. James Logan, with 3944 volumes, most of them old authors of sterling merit. An act of the Legislature in 1791 annexed the Loganian to the Philadelphia Library, and the books were placed in the same building in May, 1794.

(NOTE 9.)—"The American Philosophical Society for promoting Useful Knowledge," was formed by the junction of two societies, the one called 'The American Philosophical Society,' and the other 'The Junto, or Society for promoting Useful Knowledge.' The former was instituted in 1743, and the latter was in existence in 1758. I perceive that Dr. Mease in his excellent 'Picture of Philadelphia,' has dated the origin of this society in 1766, but a minute book of proceedings is extant reaching so far back as 1753, and it is probable the Junto had a still earlier commencement. The union was formed by combining the names of both associations, and exchanging lists of the members of each. The combination took place in December 1768, and Dr. Franklin was elected first President of the united society. It was incorporated in 1780. In 1816 a

\* See the letter entire, in Reg. vol. 6, page 282. Ed.



in the early part of the season, with the investment of so considerable a portion of their active capital, in the coal brought down the last year—not only discouraged, but actually disabled a very large proportion of them from pursuing the business with spirit until they could make sales.

Since the commencement of Autumn, the demand both at home and abroad, has been unprecedented, but it was then too late to get much increased supply for the present year—many of the miners and boat-men had been discharged, and gone to other work, and could not be got back in time to mine and transport enough to meet the increased demand. We advise our friends, and we hope we have many, who intend to use this excellent fuel, whether for domestic, or manufacturing purposes, to secure to themselves a full supply the ensuing year, by giving their orders early in the season which we understand will be received with an engagement on the part of the sellers, that if they should afterwards sell at a less price during the season, than that contracted at, they will refund to the previous purchasers the whole amount of such reduction.

This judicious plan will enable those engaged in the business, to avoid the great additional expense they would otherwise incur, of wharf and yard rent, and frequent handling, and also to command the use of their funds, so as to bring a full supply to market: and would insure to the consumers a full supply, at the lowest price, at which their favourite kind is sold—and enable those who have to transport it coastwise, to engage their freights at much less than they have to pay late in the season.

There is at present a great want of capital in the business, and we know of none, where it could be more safely or advantageously employed, than in the Coal Trade.

There has been expended in making the Canals and Rail Roads leading to the Coal Mines on the Schuylkill, Lehigh, and Lackawanna, more than seven millions of dollars, besides the large amounts expended in other improvements necessary to accommodate the great number of persons engaged in the business, and large expenditures are still being made to render the access to the mines more complete, so as to reduce the cost, and increase the means of obtaining a supply of this fuel, to any extent that may be required. No accurate account can now be had of the quantities of either Anthracite or Bituminous Coal mined and transported on the Susquehanna,

It is estimated that on the 1st April last, there was remaining unconsumed, and principally unsold, being a surplus quantity of Coal mined in 1830, of at least 50,000 tons, and that the quantity wanted for actual consumption, before the 1st of April next, (besides the 50,000 tons of surplus the last year,) will far exceed all that can now be mined and brought to market before the close of Canal Navigation. The price of Anthracite Coal, which, from 1820 to 1827, varied from seven to ten dollars per ton, has been reduced the present year to \$4 50 to \$5 00 per ton, by the cargo at Philadelphia, and \$5 00 at Roundout.

More than one-half of the whole quantity of Anthracite Coal, mined and brought to market, has been consumed by steam engines and in manufactories; its substitution for other fuel very materially lessens the risk and cost of insurance against fire. In England, where Coal alone is used as fuel for domestic as well as manufacturing purposes, the consumption is more than fifteen millions of tons per annum, or about one ton to each inhabitant. In the United States there are about four millions of inhabitants within ten miles of *tide water*. If Coal should be substituted for one fourth of the supply of fuel used within ten miles of *tide water*, it will require one million of tons, and give full employment to as much tonnage as is equal to one thousand vessels, each of one hundred tons burthen, to transport it coastwise, ten trips to each being quite equal to what can be performed on an average, coastwise, in one year.

STATEMENT of the quantities of *Anthracite Coal* mined and transported to Tide Water at Philadelphia, and and Roundout on the North river, commencing in 1820, and ending the 22d October, 1831. And also the amount of *Tonnage* employed in its transportation Coastwise.

*American Daily Advertiser.*

[illegible]

[For calculations on the actual consumption of coal, and the trade in 1828, see Reg. vol. 3, page 79.—Eu.]

# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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## BANK OF THE UNITED STATES.

THE UNITED STATES vs. BENJAMIN SHELMIRE.

*October Session, 1831.—Judges Baldwin & Hopkinson.*

Indictment for uttering, passing and publishing as true, a certain false, forged and counterfeit order, purporting to be an order upon the cashier of the Bank of the United States, drawn by the Office of Discount and Deposit in Mobile, by Philip McLoskey, President of said office.

The question of the legality of these orders or drafts, and whether, under the Act of Congress, they may be the subject of forgery; and also the question of the liability of the Bank for the payment of them, arose in the course of this trial, for the opinion of the Court. That part of the charge of the Court to the Jury which has relation to these questions, was as follows—delivered by Judge Baldwin:—

The counsel of the defendant has presented to the Court the question, whether the orders or checks of a President of a Branch Bank of the United States, drawn on the cashier of the mother Bank, came within the meaning of the words "order or check," mentioned in the 18th section of the law incorporating the Bank. The point has not been argued, but it has been made. It arises necessarily, is vital to the prosecution, and must be decided by the Court. The words of the law are very plain—"or any false, forged, or counterfeit order or check upon the said Bank or corporation or any cashier thereof"—broad enough to embrace this paper which on its face purports to be such an order, and if genuine, would be one, any order or check on the Bank or any of its cashiers at the Branches or here, or any draft or bill for the payment of money, which in law would be deemed an order or check. Is this comprehensive description narrowed by any other parts of the law? We find in it no prohibition direct or indirect against issuing this kind of paper either by the Bank or any of its Branches, or any word or expression by which Congress has excluded it from the purview of the 18th section; neither can we perceive any thing in its nature which would justify such inferences. The only restriction on the issuing of any paper, is in the proviso to the 12th fundamental article in the 11th section of the charter. The Bank can make no bill obligatory or of credit under its seal for the payment of a less sum than five thousand dollars; the bills or notes issued by order of the corporation, signed by the president and cashier, are made as binding and obligatory on the Bank as those of private persons, but all their bills and notes must be payable on demand, unless of a sum not less than one hundred dollars, and payable to order; none of these restraints apply to an order or check; the notes or bills alluded to are such as contain a promise to pay money, and the bills obligatory are such only as are under seal, and for sums not less than five thousand dollars. The Bank is left free to contract debts by any other mode than by their promissory note or an obligation under seal, with no other limitation than is contained in the 8th fundamental article, which is merely as to amount, the only effect of which, is not to exempt the Bank from liability for the excess, but to make the Directors, under whose administration it shall happen,

personally liable. The words of this article are in our mind, very conclusive on this point. "The total amount of debts which the said corporation shall at any time owe, whether by bond, bill, note, or other contract over and above the debt or debts due for money deposited in the Bank, shall not exceed the sum of thirty five millions of dollars," &c.

This is an explicit declaration that the Bank may make, and are bound by contracts other than those by bond, bill, note or deposit. These other contracts must be taken to mean and be co-extensive with ordinary transactions of Banks. We certainly cannot confine them to limits narrower than those subjects which the charter recognizes as those on which the Bank are to act. Deposits, discounts, drawing, endorsing, buying, selling bills of exchange, or taking them for collection, dealing in gold or silver bullion, paying for buildings, improvements, salaries and contingent expenses, are "other contracts" by which the Bank may incur debts, and are bound to pay them to any amount to which they may be contracted by them or under their authority. In all these operations, checks or orders on the Bank or its cashiers, are indispensable to conducting the business of the Bank. They are peculiarly so, when we consider the connexion between the Bank and the Government and its Branches. Being the depositories of the public money,—bound to transfer it without charge or commission from the place where it is received to the place where it is wanted or required to be deposited,—bound to distribute the money of the Government among its creditors,—to pay the salaries of public officers,—to act as commissioners of loans in the different states, in the payment of the public debt and pensions,—there must of necessity be drafts, orders and checks by the Bank on its Branches, and by the Branches on each other, and on the Bank. The Branches are offices of discount and deposit. Independently of the duties enjoined on them by the charter, for the convenience of the Government, there were great and powerful reasons for the incorporation of the Bank, and the establishment of its Branches, to create and continue a sound, uniform currency, facilities for internal exchange, and remittance. It cannot be contended that drafts, orders, or checks, drawn by or on the Bank, or any Branch, are not legitimate means by which all these objects, both public and private, could be accomplished, or that they can be accomplished without them. There is no pretence that there is any express or implied prohibition making them unlawful, and no good reason can be assigned why the Bank, individuals and the public should not have the same protection against any injury which might result from their being forged or circulated as the promissory notes of the Bank, or the drafts, orders or checks of individuals upon a cashier of the Bank. It is in our opinion no answer to these views, that the law has not expressly authorized the officers, of the Branches to draw on the Bank: it is enough for this point that they are not prohibited from doing so: it is an act indispensable to the transaction of their ordinary business, in order to meet the wants of the public and others. The bank may contract otherwise than by bond, note or bill. They may authorize the Branches to draw orders, checks or bills upon them, whether in funds or not,—but authorized or not, the paper has the

same validity; if genuine, the drawer or drawee is bound for payment. It would be introducing a new principle into our code of criminal law, to say that the guilt or innocence of the accused would depend upon the fact of the person in whose name a paper is forged having funds or authority on which he could draw his order or check. If a genuine bill is wanting in some requisite to give it currency, as the indorsement of the payee when payable to order—or if a positive law directs that besides the proper signatures, some other acts should be done to give it any validity between the parties, or permit it to be read in evidence—as that it should be stamped—the crime of forgery is as complete by forging or knowingly passing it before endorsed or stamped, as after. Bailey on Bills 442, Am. ed. 382; 6 D. and E. 606, Rex vs.

To save the party from the penalty on account of the invalidity of the paper if genuine in fact, it must be shown to be wholly illegal and void in its operation, so that no one could be injured by its being forged or passed upon him. The genuine paper must be as worthless as its counterfeit. The law embracing then all orders or checks on the Bank or any Cashier thereof, with intent to defraud the Bank or any other person, containing no exceptions,—excluding no paper which comes within the definition or common acceptance of an order or check, or prohibiting the issue or circulation of those drawn by the Presidents of Branches, we are bound to declare them to be within the words, spirit and meaning of the law, equally with the notes of the Bank or the checks or orders of individuals.

You will therefore understand us as distinctly laying down the law to be, that it is criminal to forge or pass paper of this description. The next question of law which arises in the case is, whether that part of the indictment which charges that the accused passed the order or check in question, with intent to defraud the Bank of the United States, has been made out.

On this part of the case the law is well settled—the indictment must allege the offence to have been committed with the intention of defrauding some person or corporation, and this allegation must be proved as laid. This is the general rule, but it must be taken with this qualification. If the person in whose name a forged note, bill, order or check is drawn, or the one on whom it is drawn, would, if genuine, be bound to pay it, the law infers and takes as proved the intentions to defraud and injure such person, from the act of forging, or knowingly passing such paper. Bailey on Bills, 442, Am. ed. 386; Russell and Ryan, 169, 291, 2; 2d Taunt. 333, 4.

It is not necessary that there should be any actual injury sustained or fraud practised in fact, on the person who was the subject of the meditated fraud or injury; this part of the offence consists in mere intention, and if that intention can be consummated the offence is complete. It is enough that it may probably or possibly be done. 2d Str. 749, 2d L. R. 1469, 2d W. Bl. 787, 4th Wash. 727, 2d Taunt. 333.

The passing of this order or check is alleged to be done with intent to defraud the Bank of the United States; it therefore becomes necessary for us to inquire whether the Bank might or could be defrauded or injured if the paper was genuine. By the 14th fundamental article of the charter of the Bank, it is bound to establish Branches in certain cases. It is authorised to establish them wheresoever they may think fit, within the United States, and to commit the management and the business thereof to such persons and under such regulations as they may think proper, not being contrary to law or the constitution of the Bank; or instead of establishing Branches they may employ other Banks, with the approbation of the Treasury, to manage the business proposed, other than for the purposes of discount, under such agreements and under such regulations as they may deem just and proper.

It thus appears that the branches are legitimate em-

anations from the present Bank, who may commit their management to such persons, and subject to such regulations as they think proper, under no other limitations to their power than the laws of the land and their own charter.

The operations of the Branches are carried on with the funds of the corporation by officers of its appointment and under its regulations: they are its agents capable of binding it by their contracts; all their transactions are for the benefit of the Bank, who cannot disavow them unless in a clear case of an access or abuse of their own powers, under such circumstances as would invalidate the contract of an agent of any other corporation or an individual. Any business may be done at the Branches in relation to the discounts and deposits which may be done at the parent Bank; it is liable to depositors for all balances due at the Branches, for all drafts, orders or checks drawn by its officers on their own Cashier, by their own authority.

The act of establishing a Branch is *per se* the creation of an agency; it is an authority not only to the extent of the regulations under which their agent acts, but to the extent of all acts and transactions of the officers of the Branches, which the Bank have been in the habit of adopting and confirming, on the same principle that individuals are liable on the contracts of their wives and servants, who have been permitted to deal on their credit; and in their names; or a merchant whose clerk is in the habit of writing letters, signing notes, bills and checks in his name, though without any written or express authority, by the adoption and recognition of which he authorises the public to consider his clerk as his agent, authorised to do in future what he has been in the habit of doing with his knowledge and assent. It would be strange indeed that the Bank should not be liable for checks or orders drawn by its agents at their own Branches, which not only form a very important item in the currency of the country and the operation of the Branches, but which the Bank have for years daily ratified and sanctioned by their payment: the uniform course of business transacted between the Bank and its Branches, furnishes such a strong legal inference and presumption of its being authorised by the regulations under which they have been established, that the burthen of proof to the contrary is clearly thrown on the Bank or any other person who would attempt to show that the paper was not obligatory upon them. It would be a severe reflection on the Bank to suppose that they would for a moment refuse payment of these checks and orders, and our system of jurisprudence would deserve little of public respect or confidence if the law would not coerce it.

But the charter is not silent. The 8th fundamental article makes the Bank liable for all debts, though they exceed the amount limited,—the 14th makes the offices of discount and deposits its agents,—the 16th sections makes the Bank the depository of the public money, and imposes on it the obligation of transferring, distributing and paying in under the directions of the Treasury,—and by the 17th article, the Bank is bound to pay in gold and silver all its notes, bills and obligations, and all deposits in the Bank or its offices,—and the proviso enacts, that Congress may enforce and regulate the payment of other debts under the same penalties as are prescribed for the refusal to pay its notes, bills, obligations and deposits. The mode in which the Bank contracts a debt, the shape it assumes, or the places where contracted, is of no importance. The offices being its agents, the debts contracted by them become the debts of the corporation, imposing a duty to pay them, which may be done at or by the Branches of the Bank. If the payment is made in coin, the debt is extinguished; if made by a draft, or check, the debt remains until they are actually paid. Unless the holder expressly takes them as payment, and at his own risk, they create a new duty or obligation, which the Bank is as much bound to perform as the old one for which it



is intended to make satisfaction. It is a matter of mutual convenience, whether the old debt or duty shall be extinguished by payment or taking paper, whether in the promissory notes of the Bank, or orders or checks drawn upon it. They may be in large drafts or orders for remittance, or small ones for currency or circulation, and in any form, with or without ornaments, devices or marks. Whether they resemble in these particulars the notes of the Bank, is immaterial; their substance and legal effect are the same; they create a new debt or duty, obligatory on the Bank. It is bound to honor all the paper which it issues or gets into circulation by its authority or agents. Paper of the kind now under consideration, can be put into circulation in no other way than by being issued in payment of a debtor or other equivalent. If, on the requisition of the Treasury, an officer of the branch at a place in which public funds were deposited, should draw his order on the cashier of the Bank or any Branch at a place to which it was required to transfer them, or in distributing the public money among public creditors, and disbursing officers of the government, paying salaries, pensions or the public debt, should as a matter of mutual convenience and consent, give drafts, orders, or checks, either for remittance or circulation, on the Bank or another Branch, the Bank would be as much bound to pay them as they would to pay the same amount to an officer or creditor of the government, who would deposit to his own credit the amount thus received through the Bank.

The same rule would apply to an individual depositor, a creditor of the Bank, or one who had an order or check on them, and would receive payment in the shape of Branch orders, so, if a Branch makes a contract of discount, and pays the proceeds by drafts on the Bank, or any other kind of paper to suit their convenience, these obligations necessarily result from the contracts of deposit and discount. But there is another contract equally binding—that of purchase and exchange. An individual desirous of procuring a medium of remittance or circulation, exchanges with a Branch his gold, silver or any paper which they accept, as an equivalent for their drafts, orders or checks, large or small, as the case may be, stands in the same position to the Bank as previous creditor, depositor or holder of any demand upon them. He pays his money unto the coffers of the Bank, who receive it from their agents as the product of the contract made by their drafts and orders, all the profits of which go directly to the Bank. To refuse payment in any of these cases, would be a fraud too palpable to be tolerated—wholly repugnant to every dictate of justice and rule of law.

The Bank then being liable to pay paper of this description if genuine, it follows that the forging or knowingly passing it, could and might be intended, and operate, to defraud the Bank. This raises the legal inference and presumption that such was the intention of the accused. When the law infers or presumes a fact, or an intention as resulting from the evidence, a jury may and ought to find it as if it was in direct proof before them—the inference and presumption of the payment of a bond after 20 years, without demand or payment of interest—the existence of a deed of land after 30 years possession—the malicious intent which is implied from the act of speaking or publishing scandalous words in civil cases—the inference of malice aforethought which the law draws from the unlawfully killing of another not explained—the inference of larceny from a man being found in the possession of stolen goods and not accounting for them, and what you have heard in this case, the legal presumption of the accused knowing the order in question to be forged—drawn from his having passed another forged order of the same description, are among the familiar cases where a jury ought to and will take legal inferences, when not rebutted by positive testimony. The jury will so view it in this case, and though they may think that there is direct evidence of the intention to defraud Burke; and that he was actual-

ly defrauded, and the indictment would be sustained if it was so laid, yet it does not follow that there was not also an intention to defraud the Bank. In our opinion, the facts of the case amount to an intention to defraud both Burke and the Bank,—that the indictment would be good in law and supported by the evidence, if the offence was said to have been done with the intent to defraud either or both, and therefore instruct you that the allegation of the indictment in this particular is sufficient in law, and made out by the evidence, if you believe the witnesses.

## INDIAN AFFAIRS.

[Continued from page 296.]

The 19th of the seventh month, Captain Newcastle and John Pumpshear returned to Philadelphia from Teagong and acquainted the Governor, that in consequence of the message he had sent by them, Teedyuscung the Delaware king with about 30 of his people were come to Bethlehem, and were waiting there in expectation of seeing the Governor, or of receiving his orders to come forward hither to have a Conference with him.

The Governor immediately by a message acquainted the Assembly of the necessity of holding a Treaty with these people, that as a cessation of hostilities had been agreed on, the terms of a lasting peace might be settled &c., in consequence of which the Assembly appointed two Commissioners to attend the Governor to the Treaty, and voted £300 towards the expenses of it. And Capt. Newcastle and Pumpshear informing several Friends in this city, that the Indians having heard that the first proposals of pursuing pacific measures were made and promoted by Friends, it would be absolutely necessary by attending the Treaty with some things necessary for their relief, to convince them of the sincerity of our professions of friendship and desires to be instrumental in restoring and establishing peace, in consequence thereof.

On the 20th, several Friends met together and unanimously agreed, that it would be necessary to enter into a subscription, to raise a sum of money to defray the charges, which have already arisen, and what will now immediately become necessary, and likewise to provide such a fund, that in future occasions we may be enabled to promote the interest, welfare and peace of our country by contributing towards the expenses of treaties with the Indians, in such manner as may appear to be most conducive to the public good, and tend to improve the confidence the Indians have repeatedly and especially of late, expressed in men of our peaceable principles—and after several conferences,

*On the 22d, the following preamble of a Subscription was agreed to, viz.*

“We the subscribers from a consideration of the necessity of regaining and preserving the friendship of the Indians, who were the native inhabitants of this country, and being in hopes the pacific measures lately proposed may have that good effect, in order to demonstrate our hearty concern to maintain the principles of peace and good will we have professed to them and to contribute our assistance towards so important a service in a manner consistent with our peaceable principles, do hereby promise and oblige ourselves, our heirs, executors and administrators, to pay unto Anthony Morris, John Reynell, Jonathan Mifflin, Jeremiah Elfreth, Jeremiah Warder, Israel Pemberton, Joseph Morris, William Fisher, Charles Jones, James Pemberton, Joseph Richardson, Abel James, Thomas Say, Joshua Emlen, Owen Jones and Samuel Sansom, or their order the sums by us respectively subscribed within 12 months after date hereof together with lawful interest for the same, to be employed for the purposes aforesaid and we do agree and direct the said persons before named, within four months after date hereof, to appoint a time

and place for a general meeting of all the subscribers, and notify the same by an advertisement in the Gazette or otherwise, in order that at such general meeting a treasurer and trustees be appointed for executing this trust and for regulating their trust, authority and duty, and a proper method be settled, in which the treasurer and trustees may be obliged to render their accounts annually, and be made answerable for such sums of money as may be contributed for the purpose aforesaid.<sup>27</sup> And upwards of twelve hundred pounds was immediately subscribed. It was likewise agreed that some goods be purchased by Jeremiah Warder, Abel James and Israel Pemberton and a wagon hired to convey them to the place where the Treaty is to be held, and that as many Friends as can go, be encouraged to attend it; after which Israel Pemberton waited on the Governor and acquainted him of our intentions of waiting upon him at the Treaty, and taking with us a small present for the Indians.

On the 23d.—The goods being provided were sent by Henry Shittle's wagon and upwards of 20 Friends set out on the journey, and on the 24th arrived at Bethlehem, where we were informed that the Indian King and his company were waiting at Easton, in pursuance of the Governor's first directions, and that the Governor, his Secretary and one of his Council were going thither to meet them.

On the 25th.—We went forward to Easton, and soon after our getting there Anthony Morris, John Evans, William Brown and Israel Pemberton, waited on the Governor and acquainted him that 20 Friends and upwards, were come from Philadelphia in order to contribute what may be in our power towards promoting the work of peace which we are desirous of doing, in a manner agreeable to the Governor. At the Governor's lodgings we first saw Teedyuscung, who on our coming in immediately expressed his regard for, and confidence in the Quakers. We afterwards called and shook hands with him at his lodgings, and he expressed great satisfaction in seeing us, and said Newcastle had told him of the Quakers, and that they would come to meet him, which he now found to be true, and that now he saw them he felt it to the point of his heart and should not say any thing to the Governor, unless the Quakers were present. To avoid giving offence we did not stay five minutes with him.\* The Governor and his attendants about ten o'clock attended their public worship, where parson Peters, his Secretary, preached to them. In the afternoon Friends had a satisfactory Meeting in the same place, at which Benjamin Trotter, John Evans and William Brown, had very seasonable and acceptable service, and there appeared some grounds to hope the minds of many would be suitably prepared for the succeeding business. In the evening the wagon with our goods arrived, which were deposited in a vacant house, where we had liberty to lodge, the blankets intended for the Indians serving us for beds.

In the evening the Indian King and most of his attendants came uninvited, and supped at our Inn, from whence, with some difficulty, we persuaded them to return to their lodgings, immediately after supper without taking a drop of strong liquor, and they promised wholly to refrain from it, that the next day they might be fit for business.

26th.—This morning Newcastle and Pumpshear came and acquainted us that the Indian King and his company who had been drinking intemperately several days before were now sober, and the King said his head and heart were clear and ready to enter on business. And they freely expressed their sentiments on several matters which they expected would be the subject of

public consideration, with which they desired the Governor might be informed. In pursuance of which, the substance of what was said was communicated to W. L. one of the Governor's Council, but Conrad Weiser not being yet come, the Governor determined to defer treating with the Indians until he came.

Newcastle and the Interpreter, Pumpshear being sent for by the Governor, and desired to give their sentiments on several matters, answered freely as to most of them, but as to some particulars begged leave to refer the Governor to what they had already said to Israel Pemberton, with which they presumed the Governor was, or would be acquainted, by one of his Council, with which the Governor appeared highly displeased and charged Pumpshear to inform said Pemberton, and by that means all the Quakers in town,\* that he should treat them as his Majesty's enemies, if they held any conference with the Indians, on any matter relative to the Government, and that he had strictly charged the same to be observed by all persons whatsoever, on his first coming. The interpreter then informed him that we had been particularly cautious in that respect and so far as he knew, clear from any conversation with them, and after giving the reasons for the conversation he and Newcastle had voluntarily entered into with said Pemberton, one of which was the difficulty of free access to him at suitable times, the Governor's wrath seemed to abate, but he enjoined them in future immediately to communicate to him, or to his Secretary, or to some of his Council and to no other, any thing they might have to say, and promised them free admittance at all times. The Governor's message and conduct appeared so extravagant that Pumpshear did not before the next morning deliver the message. The Indians this day dined with the Governor and his Council and his attendants, and we were informed that the King after dinner, in a full and pathetic manner expressed his concern for the mischief which had been done, that raised tenderness towards the Indians in most that were present.

After this we thought of inviting the Indians to dine with us, but on hinting it to one of the Governor's Council, after he had taken an opportunity of speaking with the Governor, we were informed the Governor did not approve of it, and we therefore declined it.

Captain Reynolds from Fort Allen, this day informed us he had intelligence there were about twenty Indians seen in that neighborhood, by which some of the people were much alarmed, and had fled from their plantations, upon which we renewed our application that messengers might be sent to invite these Indians to come in, being a party left behind by Teedyuscung, who we were apprehensive might by his staying longer than expected, be tempted to commit some irregularities, but we could not succeed therein.

27th. Conrad Weiser came and the opening the Treaty, &c. were considered and concluded on, but the Governor went out a fishing, and the Indians spent the day in drinking so much as to render them unfit for business. In the morning, Friends met together, and unanimously agreed to attend the service we were engaged in, and that none should depart without first notifying his intentions to the company and obtaining consent, and likewise agreed that Anthony Morris, John Evans, Wm. Brown and Israel Pemberton should wait upon the Go-

\* At this time, and all times before and since the Treaty, the Moravians at Bethlehem, are allowed to entertain such Indians as they please, and to have the liberty of freely conversing with them, though the Quakers, in this arbitrary manner, are forbid at the time, the Governor knew they came solely to promote and assist in the restoring peace; and the lower class of people are permitted to curse, swear and rail at them and endeavour to incense them against us, within their hearing, which appears to be very offensive to them.

† Nearly forty of us then together,

\* Soon after our coming to town we were informed that the Governor had given orders that no person should speak with the Indians, and a guard was set near their lodgings to prevent it.



vornor, and acquaint him that by a message received from him yesterday, by John Pumpshear, the Indian Interpreter we perceive the Governor is apprehensive that we have had or intend to have some conference with the Indians now come to town relative to the affairs of Government, and therefore we think it necessary to inform the Governor, that we have not had any such conferences with them, and to repeat what we said when we first waited on him, that our sole purpose in coming and waiting here is to be assistant as far as may be in our power, in promoting the work of restoring peace in a manner consistent with our stations and circumstances, and the respect due to him as our Governor.

In the evening the said four Friends delivered the message, with some of the reasons for our coming up; &c. The Governor positively denied\* that he had sent us any message by Pumpshear, treated us civilly, and repeatedly assured us of receiving with pleasure and duly considering, any hints or intimations we might think proper, to give of such matters as might appear to us necessary to be regarded on the present occasion; but of our intended presents to the Indians, which we again mentioned to him, he did not take the least notice. We hinted the apprehensions we had of the Indians suspecting our being deficient in regard to them, as to avoid offence we had declined seeing or speaking with them, excepting the interviews at our first coming and the short time they unexpectedly spent in supping with us, and we found that Captain Newcastle and the Interpreter were both much concerned to find us laid under such constraint.

28th, 7 month.

In the morning we had notice of the Governor's intention of speaking to the Indians, and by attending at the time and place, and crowding ourselves in, obtained admission, and kept minutes of what was said by and to them. In the afternoon some of us visited the Moravian settlements of Nazareth Christian's, Bern and Gnadenhalt, and were highly delighted with the economy of the families, and with the extraordinary improvements of every kind, which notwithstanding their infancy, much exceed any thing in America.

29th.—The Governor again met the Indians, and we obtained admittance as at first, and kept minutes of most that was said, though the hasty and inconsiderate method in which the Indian's answers were received, render it impracticable to be so exact, as the importance of the occasion and subject required.

In the evening Friends met together and agreed that Anthony Morris, John Evans, William Brown and Jonathan Mifflin, should again wait upon the Governor, and repeat the assurances we had before given of our disposition to promote the business in which he is engaged in the manner most agreeable to him, and to let him know we are desirous of his consent to our delivering a present to the Indians, or that he would be so kind as to deliver it for us, as a testimony of our regard for them, and of our hearty desire to improve the confidence they have expressed they have in us to the public benefit. They on their return informed us, that the Governor declared positively that he should not permit Friends to deliver their present to the Indians, nor did it appear to him proper that he should deliver it for us, but that he would consult his Council, and give us a positive answer in the morning.

30th, 7 month.

The Governor by one of his Council, notified us that if we would consent to put our goods together with those provided at the public expense, he would deliver them with the following speech, viz:

"Brethren,—I acquainted you yesterday that the

\* Our first intelligence was from one of his Council, that he had sent such a message and it was at his instance, we were induced to send the answer, the same Councilors were present when he denied it, as had heard him deliver the message, &c.

people of Pennsylvania had put into my hands, a small present to relieve you and your wives and children, in their present distresses, I now think it further necessary to inform you, that a part of this present was given by the people called Quakers, the descendants of those who first came over to this country, with your old friend William Penn, as a particular testimony of their regard and affection for the Indians, and their earnest desire to promote the good work of peace in which we are now engaged."

On consideration of which it is unanimously agreed, that we should consent to his delivering them, but in order that the Indians may know what part of the goods were provided by Friends, that a list of them should be delivered the Interpreter, to be communicated to them when he has the most suitable opportunity, and a String of Wampum was provided to be delivered by the Governor, with the speech he has promised to make on delivering the goods.

31st.—An express having arrived from Philadelphia last evening, with the news of Lord Loudon's arrival at New York, and the declaration of war against France, the Governor determined this day to declare war, and afterwards to close his conferences with the Indians, &c. And accordingly at 12 o'clock, after the declaration of war, the Governor delivered the presents, closed the conferences and invited all the company present, Indians and others to dine with him, suitable provision being made for that purpose, and the weather being fine, about 150 of us dined under a booth, the Governor behaving with great civility and openness, in a manner which gave universal satisfaction; most of the people called Quakers, intending this afternoon to set out homewards immediately after dinner, taking leave of the Governor and Teedyuscung, at which time the king addressing himself to us all, said, viz:

"Now we have made this good beginning of the work of peace, I desire you may let it be known to all your people far and near, I will do the same among our people, and I hope you will hear of no more mischief being done. If I should hear of any being intended against you, I will do my utmost to give you notice of it, but do not let this cause you to be quite off your guard, perhaps some of the Ohio Indians may come over the river, without my knowing of it, but if I do know, you shall certainly be informed of it.

During the Treaty, several Friends who could not attend it, were employed in soliciting subscriptions, and after our return we had concluded to prosecute the application, but met with an unexpected interruption, a report being in a few days brought us from Bethlehem, that the Indians had soon after their setting out from Fort Allen, made a cantic and burnt all the goods presented to them, and that all expectations of any good effect from our pacific measures were blasted—this story was propagated with great industry by many who appeared desirous of obstructing our proceedings, and being told circumstantially by the Moravians who had it from an Indian woman, who had left the Indians and come down to Bethlehem, though some of us were so fully satisfied of the sincerity of Teedyuscung's intentions when we parted with him, that we could not believe it, yet we thought it most prudent to defer the urging any further proceeding for the present. About £1800 being then subscribed in this city,—we remained without further intelligence, till about 12th, 10 month. We were informed that some Indians were come to Easton with four or five prisoners, and advice that Teedyuscung and about one hundred Indians were on this side Wyoming. We then thought it necessary to be prepared to give all the assistance in our power to promote the work of peace. And our adversaries were not less industrious in contriving every obstacle and discouragement in their power. Governor Denny, who had arrived soon after the last Treaty, had on several occasional conversations appeared well disposed to our design, but on being now applied to, discovered a



different disposition: and could not by any means be engaged in a free conference with us on the subject, but insisted on our reducing to writing every thing we had to propose to him. We were afterwards informed this occasioned by some misrepresentations made to him and his Council by Secretary Peters: we therefore concluded to call a meeting of all the committee.

[To be Continued.]

### METEOROLOGICAL REGISTER.

*Extract from the Meteorological Register, taken at the State Capitol—Harrisburg, Pennsylvania,*

BY WILLIAM MUSGRAVE, Librarian.

OCTOBER, 1831.

Days of Week.	Thermometer.				Barometer.				WINDS.
	Days of the Month.				Days of the Month.				
	Morning temperature.	Noon temperature.	Night temperature	Mean temp. of day	Highest in Morn.	Highest at Noon.	Highest in Even.	Mean height of Barometer each day	
Saturday	1 44	61	58	54	29.76	76	72	29.74	W
Sunday	2 52	68	69	63	66	57	56	59	W
Monday	3 58	73	72	67	54	46	48	49	W
Tuesday	4 60	74	65	66	40	26	20	28	SW
Wednesd	5 56	58	52	55	20	23	34	26	W
Thursday	6 46	54	48	49	48	55	65	56	W
Friday	7 36	60	54	50	80	74	74	76	SW
Saturday	8 50	60	62	57	72	53	40	55	S
Sunday	9 64	64	52	60	30	30	42	34	W
Monday	10 44	46	42	44	45	40	37	40	NE
Tuesday	11 40	41	42	41	27	38	45	36	N
Wednesd	12 40	52	46	46	60	60	66	62	NW
Thursday	13 38	57	60	51	70	60	55	61	W
Friday	14 60	72	60	64	60	66	76	67	W
Saturday	15 41	60	54	51	90	86	87	87	E
Sunday	16 51	63	60	58	83	79	77	80	SE
Monday	17 60	68	62	63	75	70	66	70	W
Tuesday	18 52	68	58	59	65	50	60	58	W
Wednesd	19 48	53	52	51	66	64	62	64	W
Thursday	20 40	52	51	47	70	70	70	70	W
Friday	21 40	61	60	53	70	66	70	68	W
Saturday	22 50	60	60	56	77	77	75	76	SW
Sunday	23 60	68	68	65	67	58	52	59	SW
Monday	24 54	62	52	56	40	30	63	51	W
Tuesday	25 44	59	48	50	83	87	87	86	W
Wednesd	26 44	65	58	55	93	78	78	83	SW E
Thursday	27 53	48	40	47	65	68	77	70	N E
Friday	28 35	38	37	36	75	80	84	79	N
Saturday	29 32	54	43	43	90	95	92	92	E
Sunday	30 32	56	47	45	80	63	57	66	E
Monday	31 44	54	49	49	23	20	23	22	E

Mean temperature and height from 3 daily observations.

Thermometer.		Barometer.	
Maximum on 2d,	67°	Maximum on 29th,	29.92 in.
Minimum on 28th,	36°	Minimum on 5th,	29.26
Difference,	31°	Difference,	00.66 in
Mean,	51°	Mean,	29.59 in

On the 4th Noon Therm.	74° the highest.
On the 28th, Noon at	32 the lowest.
Range in the month,	42

On the 29th, Noon Barom.	29.95 in. the highest.
On the 4th, Even. at	29.20 in. the lowest.
Range in the month,	00.75

Days of the month.	Winds.
11 28,	2 days N
10 27,	2 NE
15 29 30 31,	4 E
16,	1 SE
4 7 8 22 23 26,	6 SW
1 2 3 5 6 9 13 14 17 18 19 20 21 24 25,	15 W
12,	1 NW

The wind has been 7 days East of the meridian, 22 days West of it, and 2 days North.

There was rain on the 4, 8, 9, 10, 11, 22, 23, 27, 31st.

The heaviest rains on the 4th, 10, 11, 23, 23d.

Frost on the 7th, 20, 21, 28, 29, 30th.

This month was 9½° colder than last Sept. and 4° colder than Oct. 1830.

This month has been (notwithstanding some heavy rains) very favorable for farmers to finish their sowing, and getting in their abundant harvest of corn, potatoes and other vegetables.

From the Philadelphia Gazette.

### PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, NOV. 10, 1831.

**SELECT COUNCIL.**—Messrs. HORN, LIPPINCOTT, and NEFF presented petitions for the introduction of Gas into the city, which were referred to a Select Committee of three members of each Council, and Messrs. LIPPINCOTT, NEFF and PETTIT, of the Select Council, and Messrs. WETHEILL, MOSS and LEHMAN of the Common Council, were appointed the Committee. The following is a copy of the petition.

*To the Select and Common Councils of the City of Philadelphia.*

Your memorialists, citizens of Philadelphia, respectfully solicit the attention of your honourable bodies to the expediency and propriety of erecting, at the expense of the Corporation, suitable works for the supply of GAS, for lighting the public streets and private houses. They are impressed with the belief, that the Corporation of Philadelphia, availing itself of the experience of other Cities in the United States and in Europe, may now embark in such a project with decided advantage, and with a certainty of avoiding every reasonable objection on the score of inconvenience or expense. They believe, moreover, that when Gas Works shall have been erected on a proper plan, the City may derive such a profit from the sale of light to private establishments, as will repay the expense of lighting our streets in superior style, and at no very distant period, sink the capital originally expended. If these views be correct, your honourable bodies will not hesitate to adopt a measure, so important to the convenience and security of many private individuals, and so well calculated, by increasing the light of our streets, to aid the operations of the general police.

Your memorialists, therefore, pray that this subject may meet the prompt attention of your honourable bodies—and they will, &c.

Messrs. WORRELL, GROVES and LIPPINCOTT presented remonstrances against changing Drawbridge wharf for Steam Boat purposes. The annexed is one of them.

*To the Honourable the Select and Common Councils of the City of Philadelphia.*

The memorial of the subscribers respectfully represents—

That they are in the habit of consuming annually large quantities of cordwood in their business, a considerable portion of which they have been accustomed to purchase at the Drawbridge, that being the most convenient public landing to many of them, where they have been accommodated for several years past on fair

terms and entirely to their satisfaction. They therefore observe with regret that your honourable bodies have under consideration the propriety of changing said wharf into a landing for steam boats. To this measure they think there are several strong objections. They will briefly mention a few of them.

First. The public wharves already appropriated to steam boat landings are more than sufficient for that purpose. As evidence of this, they would remark that the want of occupancy has rendered it necessary to reduce the rent of Race street landing during the present season.

Second. A heavy expense is necessarily incurred in order to fit any of our wharves for steamboat landings. Between 15 and 20,000 dollars have already been expended on those now appropriated for that purpose, and it is found by experience that a rent commensurate therewith cannot be derived from them. As a proof of this, 1000 dollars per annum was offered for Race street as a wood wharf and refused, \$1,363 78 was expended on it to fit it for a steam boat landing, and it now brings but \$750 per annum.

Third. It is believed that the cost of fitting the Drawbridge wharf for steam boat purposes, would not fall short of the whole of the others collectively which have been so altered, in addition to which the culvert that now discharges its contents into the Drawbridge dock, must render the situation unpleasant and highly objectionable as a landing for steam boats.

Fourth. The Drawbridge including the old Fish-house yields an average annual income of near 4000 dollars, while the three steam boat landings yield but 4,350 dollars. The present revenue of the Drawbridge in case of a change, must be nearly lost to the city, as it is shown by the state of Race street wharf that an increase cannot be calculated upon from steam boats.

Fifth. The Drawbridge is the only landing for wood within the city limits, if it should be changed the supply of the very important article of fire wood must be drawn entirely from the county at an increase of at least 12½ cents per cord for carting, which on 24,000 cords (which is about the quantity landed at the Drawbridge) would operate as a tax of 3000 dollars per annum on the city, moreover many of the persons who hold landings in the county are known to speculate in the article of wood, which would furnish an additional opportunity to tax the city: but that is not the only evil which would attend that system. The order is necessarily the judge of *quantity* between the buyer and seller, it would therefore be his interest to take as much and give as little wood as possible for a cord; as the whole gain in the measure would then be his own. This latter evil is not ideal.

Your memorialists might go on to enumerate other objections to the contemplated alteration: but they think the foregoing sufficient to induce your honorable bodies to examine the subject thoroughly, after which they are persuaded you will concur with them in opinion that the public good does not require any change in the public landings at the present time, either for the accommodation of the steam boats or otherwise. They therefore pray, that the further consideration of the subject may be dismissed and the Drawbridge landing permitted to continue as a wood wharf.

The following letter was received from Robert E. Griffith, Esq. which after being read,

Mr. DUANE, offered the annexed resolution which was agreed to by both Councils.

PHILADELPHIA, Oct. 1831.

Sir—In the year 1812, I advanced, along with other proprietors of property on Blackberry alley, \$22 to James Smith, Esq. then Treasurer of the Corporation, to be repaid in four years without interest, the others who advanced, were I believe, all repaid at the expiration of that period. The certificate for my proportion was either not taken up, or by some means mislaid, the

amount yet remains uncanceled, and stands at my credit on the books of the Treasury, agreeably to the testimony of Corn's. Stevenson, Esq. the present Treasurer. I beg you therefore, to have the goodness to lay my claim before Councils, and to request the payment of the principal with such interest as is, in such cases allowed.

With great respect, your obd't humble serv't.

ROBERT E. GRIFFITH.

JOHN M. SCOTT, Esq.

President of the Select Council.

There is standing on the Books, of the City Treasurer, at the credit of "Certificates of Stock, Loans made free of Interest" a balance of twenty-two dollars, which appears to have been loaned by Robert E. Griffith, Esq. on the 26th October, 1812.

CORNELIUS STEVENSON, City Treasurer.

C. T. O. October 19, 1831.

Resolved, &c. That the Mayor be and he is hereby authorized to draw his warrants on the City Treasurer, in favor of Robert E. Griffith, for the sum of twenty-two dollars, being for so much money lent and advanced by him, in 1812, to be applied with other sums, to the improvement of Blackberry alley.

The following communication was received from Mr. Timothy Caldwell, and was referred to the paving committee.

*To the Honourable Select and Common Councils of the City of Philadelphia.*

Gentlemen—I propose to dig out to the proper graduation, Schuylkill Second street, from the north side of Locust street, to the south side of George street, and George street from the west side of Schuylkill Second street, to Schuylkill Third street, for the loom and clay contained therein. I will deliver the kelly, or black earth, and rubbish on the surface of the same to any place not exceeding the distance of three squares that you may be pleased to direct, and I will give satisfactory security for the faithful performance of the same, to be completed at any time, or times that you may deem proper—and am, gentlemen, very respectfully, your most ob't serv't.

TIMOTHY CALDWELL.

November 7th, 1831.

Mr. WORRELL as Chairman of the Committee on unfinished business, made the following report, which was laid on the table.

The Committee appointed to inquire and report whether any unfinished business of the last Council remains to be acted on by the present Council, beg leave to report the following items as remaining undisposed of:—

No. 1. Dec. 23, 1830. A Committee was appointed to inquire into the expediency of lighting the City with gas. (No report.)

No. 2. Jan. 27, 1831. A communication from William Rush, Esq. relative to the improvement of the Navigation of the river Schuylkill, was received and referred to a Committee, who on the 6th of October, 1831, made a report, recommending the subject to the early consideration of the next Councils, which was agreed to.

No. 3. April 27, 1831. A report from the committee on the Drawbridge and Lombard street Lots, relative to the purchase of a lot for City purposes, was received from Common Council and laid on the table.

No. 4. A communication from B. Chew, Jr. relative to marsh lands on the west side of the Schuylkill, was received June 30, 1831, and referred to a committee. (No report.)

No. 5. June 16, 1831. A Communication from the Marine Railway Company, relative to the introduction of the Schuylkill water, was received and referred to the Watering Committee. (No report.)

No. 6. A Communication from J. E. James, request-

ing to be relieved from payment of interest on a bond to Franklin's Legacy, was received and referred to the Committee on the Legacy. (No report.)

No. 7. July 14. A Communication from the Kensington District, relative to a supply of Schuylkill water for that District, was received and referred to the Watering Committee. (No report.)

No. 8. July 14. The Committee on Independence, Washington and Franklin Squares, were instructed to inquire into the expediency of erecting Fountain's in all or any of them. (No report.)

No. 9. July 21. A Committee was instructed to inquire into the expediency of removing the old Engine house, and improving the lot corner of Chesnut and Schuylkill Front street. (No report.)

No. 10. August 11. A Committee was appointed to co-operate with the Wardens in raising a sloop sunk in the river Delaware, near South street. (No report.)

No. 11. August 25. A Committee was appointed to inquire whether any measures ought to be adopted by Councils relative to the speed of steam boats on the Delaware. (No report.)

No. 12. August 25. An additional report from the Committee appointed to inquire into the expediency of improving the City property on the Schuylkill, south of the Permanent Bridge, was read and laid on the table.

No. 13. Sept. 8. A Petition from sundry citizens praying alterations in the names of the streets, running north and south, west of Broad street, was read and laid on the table.

No. 14. Sept. 25. A Resolution relative to the Horse and Engine Companies running on the pavement, was read and laid on the table.

No. 15. Oct. 6. An Ordinance to regulate the setting and re-setting of curb stones, was read and laid on the table.

The following Ordinances have been received from the Common Council, and not disposed of in Select Council.

An Ordinance relative to the Markets.

An Ordinance relating to the High street Market Place.

An Ordinance relating to the Second street Market Place.

An Ordinance relating to the cording of wood and rates of wharfage at the public landings.

Mr. WORRELL offered the annexed resolution which was adopted, and Messrs. Worrell, Fox, Sexton, and Fearon were appointed the committee.

Resolved, That a committee of two members of each Council be appointed to distribute, during the winter, the wood already purchased for the necessitous poor.

Mr. PETTIT, as chairman of the committee on the revised ordinances made the following report and resolutions which were agreed to, and Messrs. Pettit, Duane, Wetherill and Lehman, were appointed the committee.

The joint committee appointed to consider and report whether any, and if any, what measures ought to be adopted relative to the subject of a revision of "The ordinances of the Corporation of the city of Philadelphia, and the acts of Assembly, relating thereto," report:

That they have carefully considered the matter referred to them, and are of opinion that the revision in question is highly expedient. The measures which they think ought to be pursued are embraced in the following resolutions, which are respectfully submitted.

1. Resolved by the Select and Common Councils, That a joint committee of two members of each Council be appointed, to whom shall be referred the following items of unfinished business found on the minutes of the late Councils, viz.

First—A bill entitled an ordinance relating to the markets.

Second—A bill entitled an ordinance relating to the High street market place.

Third—A bill entitled an ordinance relating to the Second street market place.

2. Resolved by the Select and Common Councils, that it shall be the duty of the said joint committee to revise the ordinances of the City and the acts of Assembly relating thereto, and they have authority to call to their aid the Solicitor or any other officer of the Corporation, and that they have leave to report by bill or otherwise."

Mr. LIPPINCOTT as Chairman of the Committee of Ways and Means reported an ordinance authorizing the Mayor to borrow \$35,000 reimbursable in 1863—the money to be appropriated to city expenditures.

Mr. WORRELL offered the annexed resolution which was adopted, and Messrs. Worrell, Massey, Okie and Fritz, were appointed the committee.

Resolved, That a committee of two members of each Councils be appointed to inquire into and report the origin and present state of the funds held by this Corporation, in trust by bequest or otherwise for the purchase of wood for the City of Philadelphia.

Mr. WORRELL offered the following resolution which was agreed to.

Item of unfinished business—Petition of J. E. James, praying for release of interest to committee on Franklin and Scott's legacy.

Mr. WORRELL offered the annexed resolution which was agreed to, and Messrs. Worrell, Fox, Coryell and Mayberry were appointed the committee.

Resolved, That an item of unfinished business (No. 4 in the report of S. Council), viz. a letter from B. Chew, Jr., relating to marsh lands on west side of the Schuylkill be referred to a special committee of two members from each Council.

Mr. DUANE called up for consideration the resolution he offered at a previous meeting relative to engraving the *Declaration of Independence*, which was amended to read thus:

Resolved, &c. That the Committee on the State House and Independent Square, under whose direction the Hall of Independence is about to be restored, as far as practicable, to the state in which it existed on the 4th of July 1776, be and they are hereby authorized to cause the declaration of independence with the signatures thereto, to be engraved upon a plate of brass or such other material as may be deemed suitable to the purpose, in all respects as closely as is possible in the style of the original writing, and to cause the plate so prepared to be inserted as a pannel or otherwise in the most appropriate part of the Hall of Independence:—and was passed.

COMMON COUNCIL.—Messrs. Patterson, Hood, Baker, Oldenburg and Wetherill, presented remonstrances against changing the Drawbridge wharf to steam boat purposes, which were referred to the committee on that subject.

Several petitions were presented for the introduction of Gas Lights into the city which was referred to the same committee as those presented to the Select Council.

The following communication was received from the City Commissioners, and was referred to the committee on markets.

*City Commissioners' Office, Nov. 10, 1831.*

To the President and members of the Common Council.

Gentlemen—The City Commissioners respectfully state to Council that by an ordinance of May 22, 1799, it is made their duty "to repair and keep in repair the market houses, &c." and as the roof of the market house in High street, between Third and Fourth streets, is in a very bad state, they would wish that Councils would permit them to have the said roof repaired. It should be done before the winter commences, as many of the stall-holders are determined to relinquish their stalls. This market produces an interest of more than twenty per cent. to the city, and in the opinion of the Commissioners, ought to be attended to.

By order of the City Commissioners,

ROBERT H. SMITH, City Clerk.



Mr. BAKER, as chairman of the Paving Committee, made the three following reports and resolutions annexed, which were adopted by both Councils.

The Paving Committee to whom was referred the petition of a number of persons requesting Elizabeth street to be paved: Report, That they have viewed said street and are of opinion it should be paved, and offer the following resolution:

Resolved, That the City Commissioners under the superintendence of the Paving Committee, pave Elizabeth street, and charge the same to appropriation No. 1.

The Paving Committee to whom was referred the petition of a number of persons requesting Linden street to be paved: Report, That they have viewed said street and are of opinion it should be paved, they therefore offer the following resolution:

Resolved, That the City Commissioners under the Superintendence of the Paving Committee, pave Shoemaker street, and charge the same to appropriation No. 1.

Mr. HOON, as Chairman of the Committee to whom was referred the petition of Messrs. Hollingshead, Platt & Co. made the following report and resolution, which were adopted by Common Council, but were laid on the table in the Select Council for the present.

The Committee to whom was referred the petition of Hollingshead, Platt & Co. in relation to the extension and improvement of Clifford's alley, report—

That it appears, the petitioners, are desirous of extending their wharves, about forty feet further east, on the north side of said alley, so as to front the river on a line with Stephen Girard's on the south. And that, in making this improvement, they are anxious that Councils should direct, that the said alley should be extended in conjunction with them. They (in their own petition) propose to Councils to complete it at their own expense, Councils allowing them a fair compensation, or should Councils deem it expedient to improve it under their own directions they propose paying six per cent., as a rent on the amount of the expenditures, or should Councils let it to the highest bidder they are ready to make proposals for the same.

To the last proposition your committee would recommend to Councils the propriety of adhering. And your committee, (after viewing the premises) are of the opinion, that the improvement contemplated by the petitioners, will be of considerable advantage to that neighbourhood, in as much as it will have a tendency to facilitate the passage of drays and other vehicles along that front, the passage from which is now, and has for years been much obstructed.

And taking into consideration the range of warehouses, the petitioners contemplate erecting on that front, and extending their wharves out a suitable distance.

Your committee are of the opinion, that while Councils are certain of a sufficient revenue to cover the amount of the expenditures (which will not exceed five hundred dollars), it is but justice to the parties concerned to cause the said alley to be paved.

Your committee therefore beg leave to offer the following resolution:

Resolved, By the Select and Common Councils, that it is expedient to extend and improve Clifford's alley, so soon as Hollingshead, Platt & Co. are prepared to extend their wharves north of the same.

Mr. BAKER offered the annexed Resolution which was passed by the Common Council, but was laid on the table in the Select Council.

Resolved, By the Select and Common Councils, that the City Commissioners be, and they are hereby authorised in conjunction with the Market Committee, to have the necessary repairs done forthwith to the roof of the Market-house in High street, between Third and Fourth streets, and that the expense thereof be charged to appropriation No. 14.

Mr. SEXTON offered a Resolution which was amended so as to read thus:—

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Resolved, By the Select and Common Councils, that the clerks be directed to have printed 500 copies of the Rules and Regulations of Councils, for the use of the members thereof, and that the expense of the same be charged to appropriation No. 21:

Which was passed by the Common Council, but was laid on the table in the Select Council.

Mr. FRITZ as Chairman of the committee to examine the minutes of the last Council, made the annexed report which was adopted.

The committee appointed to examine the minutes of the last Councils, and report any unfinished business, beg leave to report that they have examined the minutes of the last Council and find the following items of unfinished business.

Item No. 1. A committee was appointed in pursuance of the recommendation of the City Commissioners, in relation to Chesnut street landing on the Schuylkill, which committee have not reported.

Item No. 2. The subject of the purchase of a lot for city purposes generally, was referred to the early consideration of the next Councils.

Item No. 3. An ordinance in relation to Logan Square, was read a second time on the 6th of October 1831, and laid on the table.

Item No. 4. The communication of Wm. Rush, Esq. was on the 6th of October 1831, referred to the early consideration of the next Councils. All which is respectfully submitted.

Mr. FRITZ offered the following resolutions, which were adopted by both Councils, and Messrs. Moss, Coryell, Worrell and Fox, were appointed the Committee on No. 1.—and Messrs. Fritz, Baker, Johnson and Groves were appointed the Committee on No. 2.

Resolved, That Item No. 1, be referred to a special Committee of two from each Council.

Resolved, That item No. 2, be referred to a special Committee of two from each Council.

Resolved, That item No. 3, be referred to the Committee on Logan and Penn Squares.

Resolved, That item No. 4, be referred to Committee on Chesnut, Mulberry and Sassafras street wharves.

Mr. BAKER called up for consideration, the resolution sent in by the Select Council relative to the Declaration of Independence, which was agreed to, and Mr. Baker called for the ayes and nays on the passage of the resolution, which was agreed to; and the ayes were Messrs. Fritz, Okie, Hood, Ryan, Oldenburg, Horn, Fearon, Mayberry, Coryell, Leiper, Wetherill, Moss, Sexton, and Page—14.

Nays—Messrs. Baker, Lehman and Patterson—3.

Agreeably to ordinance, the Select Council appointed Messrs. Massey, Lippincott and Pettit, the Committee on the Sinking Fund, and the Common Council appointed Messrs. Oldenburg, Moss and Sexton, on their part.

From the Berwick Gazette.

#### PROSPECTS OF THE NORTH BRANCH CANAL.

The North Branch Canal is now in navigable order, from Nanticoke to the West Branch, and we understand the Canal Commissioners have given orders to the Collectors, to receive Tolls at this place, and at Northumberland.

Although much difficulty has been encountered, in filling the lower end of the Canal with water, owing to a wilful mistake, in placing the feeder at too great a distance from its junction, which may yet in dry seasons be a serious detriment to the navigation;—yet the expectations of the friends of the canalling system will be, we believe, fully realized.

The amount of tonnage which will pass this canal, cannot be fairly estimated at the present time; but from the large amount of the produce, lumber, &c. which

passes down the river annually, we may safely calculate on an immense sum and almost an unlimited trade upon this line of our improvements, believing that the worn out arguments of watermen, and the opposers of the canalizing system, will fade away before actual and successful experiments, and the whole of the Susquehanna trade find its way to market through the Canal.

Although the river at times may afford a speedier passage for the descending trade, yet when the loss of lives, the destruction of property, and the risk encountered, under the most favorable circumstances, from storms, and other causes, to which may be added, the difficulties which are met with by our lumber and produce merchants, in selling, at a fair price, at a common depot, where an immense amount of property is thrown into market at our annual spring freshets; every prudent man cannot but choose the safe and easy channel of the canal.

The fact, that the descending trade of the river will, at no distant day, be transferred to the Canal, is fairly deducible by arithmetical calculation of the actual expense incurred by the two modes: Take for instance, the article of Coal, which will shortly exceed all the descending trade of the North Branch.

The following will exhibit the expense of transporting sixty tons of Coal from the waters' edge at Wilkesbarre or Plymouth, by the river in an Ark, and a Boat of that burthen, on the Canal, making the market at Harrisburg.

#### By the River.

An Ark of 60 tons burthen, will cost	\$60 00
Loading of Ark, - - - - -	5 00
Allowing $3\frac{1}{2}$ days to a trip, at an average pitch of water.	
For Pilot, including board, at	\$2 00
Stearman, - - - - -	1 50
Common hand, - - - - -	1 00
Risk, at 10 per cent. on 60 tons of Coal,	
at \$1 25 per ton, and the Ark at \$60 00,	13 50
Hands returning, 3 days, - - - - -	13 50
Loss on the Ark, - - - - -	40 00
	<hr/>
	\$87 75

#### By the Canal.

Loading Boat, - - - - -	\$5 60
$4\frac{1}{2}$ days passage on canal with 2 men, boy and 2 horses, viz.	
Super cargo, \$1 25 per day, - - - - -	5 62 $\frac{1}{2}$
Common hand, 1 00 - - - - -	4 50
Boy, 50 - - - - -	2 25
2 horses, each 75 - - - - -	6 75
Boat hire, at 50 per day, - - - - -	2 25
Toll on 60 tons, for 110 miles, at $\frac{1}{2}$ ct. per ton per mile, - - - - -	33 00
Toll for Boat at 3 cents per mile, - - - - -	3 30
4 days returning empty, including toll, - - - - -	22 30
	<hr/>
	\$84 97 $\frac{1}{2}$

Leaving a balance in favor of Canal navigation of - - - - - \$2 77

But as a return cargo, sufficient to pay the expense of returning, may be safely calculated upon—the sum of \$22 30 should therefore be added to the balance, in favor of the Canal, and we then have a nett saving on the Canal of \$25 07.

### DANVILLE AND POTTSVILLE RAIL ROAD.

At a meeting of the stockholders of the Danville and Pottsville Rail Road Company, held agreeably to public notice, on Saturday, 12th instant, on motion of Stephen Girard, Esq. Gen. Daniel Montgomery was called to the chair, and H. C. Carey, was appointed secretary.

The following preamble and resolutions, moved by Richard Peters, Esq. were unanimously adopted.

Whereas, the stockholders of the Danville and Pottsville Rail Road Company, have been convened by

order of the president and managers, to take into consideration the subject of the construction of the said Rail Road, and the prosecution of the work until completed, as authorised by the charter; and

Whereas, it satisfactorily appears to the stockholders now convened, from the reports of Moncre Robinson, and P. W. Rawle, Esqrs. engineers of the company, that the Danville and Pottsville Rail Road can be made (in a less distance, on a more favorable location, and with 354 feet less ascent and descent, than by the first survey) for a reasonable sum, and in a superior manner, fitted in every respect for the application of locomotive power for the conveyance of passengers, and the transportation of every kind of tonnage; therefore,

Resolved, That the president and managers be requested to put under contract as soon as practicable, with a view to its speedy completion, so much of the eastern section of the said Road, commencing at the point of connexion with the Mount Carbon Rail Road, and extending to the mouth of the Shenandoah creek, and thence towards the Susquehanna, as far as the present funds of the company will, in the opinion of the president and managers, justify.

Resolved, That the president and managers be authorised to receive subscriptions for the balance of the stock of the company, authorised by law, or so much thereof, as may be sufficient to complete the whole work.

Resolved, That the president and managers be authorised and requested to make application to the legislature, to be allowed five years in addition to the time now authorised for the completion of the whole work—for permission to transport the mail and passengers, or to receive such toll as may appear to the president and managers reasonable for the same. And also for permission, if at any time hereafter, the tolls should not enable the company, after paying all repairs and other necessary expenses, to divide six per cent. per annum on the capital stock expended, that then, and in such case, the tolls may be increased by the company, so that the dividends shall amount to ten per cent. per annum, and that whenever the tolls shall exceed fifteen per cent. per annum on the capital expended, they shall be reduced so as not to exceed that amount.

A letter from Mr. Wm. McCarty to the managers of the company was read, in which he offers to contract for making the whole road, at the estimate of the engineers, and to subscribe for stock of the company to the amount of fifty thousand dollars, to be received in part payment for the work.

The following resolution offered by Richard Peters, Esq. was then unanimously adopted.

Resolved, That the thanks of this meeting be tendered to the stockholders of Danville and Sunbury, for their very liberal conduct, in relation to the prosecution of this great work.

(Signed,) DANIEL MONTGOMERY,  
Chairman.

H. C. CAREY, Secretary.

For the Register of Pennsylvania.

### SKETCHES OF WESTERN PENNSYLVANIA.

#### NO. I.

That part of Pennsylvania, lying west of the Allegheny mountain, comprising the counties of Westmoreland, Fayette, Washington, Greene, Allegheny, Beaver, Butler, Mercer, Crawford, Erie, Warren, Venango, Armstrong, Indiana, Jefferson and McKean, and parts of Somerset, Cambria, Clearfield, and Potter, is generally denominated Western Pennsylvania. What is known by the name of the dividing ridge, or top of the Allegheny mountain, passes through the four last named counties; all the streams rising east of this ridge flow

eastwardly, generally forming tributaries of the Susquehanna; while those having their sources on the western side flow westward, and find their way to the Ohio. The geographical division is strongly marked, and the term very appropriate.

*History.*—There are men yet living who assisted in the arduous enterprise of settling this extensive and flourishing section of our commonwealth. The writer of this has seen and conversed with many of these venerable pioneers, much of whose lives has been spent in the privations and hardships incidental to new and remote settlements, in contests with savages, often obliged to betake themselves to blockhouses for safety, and who for many years, encountered innumerable perils; but who, through perseverance and industry, have caused the wilderness to blossom as the rose.

Long before the revolution, this section of country was in the possession of the French, who built and occupied Fort Du Quesne, at the junction of the Allegheny and Monongahela rivers, where Pittsburg now stands. This was their principal fort. They had also another fort on French creek, a tributary of the Allegheny, called Le Beuf.

During what we now call the old French war, the British government made numerous attempts to dislodge the French, and their Indian allies, from Du Quesne. In the year 1755, General Braddock, in making this attempt, met with his disastrous defeat. After a fatiguing march through the wilderness, he had arrived within eight miles of the fort, when he was met by a strong force of French and Indians. Ignorant himself of Indian warfare, and perhaps too proud to take advice, he drew up his army in the usual order of battle, to contend with an enemy skulking behind trees and logs. The result was what might have been expected: his men were slaughtered by an unseen foe, and a defeat the most disastrous perhaps that ever took place upon the continent; and a precipitate retreat, leaving the wounded among their merciless conquerors. The brave but imprudent Braddock received a mortal wound. He was carried about fifty miles by his men, when he expired; and his solitary grave is yet pointed out to the traveller, in the mountainous region, near the line dividing the counties of Somerset and Fayette, on the side of the national road. In this action our own Washington, then a young man, a Major at the head of the Virginia troops, first displayed that prudence, firmness, coolness, and intrepidity, which afterwards marked his character, and gave him a place among the first of men. After sustaining the furious onset, and doing all that man could do, to make head against the overwhelming force of the enemy, he covered the retreat, and saved the army from total destruction.

On the theatre of this bloody and unfortunate affair, a flourishing Female Seminary is now established. Light and playful steps tread the soil which drank the blood of the warrior; and the ploughshare of the husbandman disturbs his mouldering uninterred bones. The fortress in dispute is now the site of a great and flourishing city. The wilderness through which Braddock,

with such toil and danger, forced his way, has been converted into fruitful fields, and become the quiet habitation of civilized men. What a change in seventy years! The wildest fancy would have fallen far short of the reality; its parallel is only to be found in the same western regions, where art seems to have become magic, and the effects of human enterprise, industry, and perseverance, indicate a power only short of omnipotence.

The next demonstration made by the British against Fort Du Quesne, was commanded by General Grant, at the head of 800 Scotch Highlanders. He marched to the top of a hill which overlooked the fort, and there imprudently beat a reveille in the hearing of the French and Indians, in the garrison. The latter unseen, sallied out, flanked him right and left, attacked and cut the troops to pieces. The unfortunate Grant was made prisoner. This hill is now known by the name of 'Grant's Hill.'

In 1763, Gen. Forbes commanded on the third expedition against this place. Profiting by the dear bought experience of his predecessors, he resorted to stratagem. On arriving near the garrison, he marched his men in single file, and extended as much as possible. The Indian spies, finding what they supposed an interminable line of troops approaching, hastened to the garrison with the intelligence. The French, adopting the sage maxim of the renowned Falstaff, blew up their works, and made a hasty retreat down the Ohio, leaving this important station in quiet possession of the British. Treaties were concluded with the neighboring Indian tribes; the garrison rebuilt at considerable expense, and named Fort Pitt in honor of the Earl of Chatham.\*

At this period emigration, from the eastern side of the mountains, began to be general. Various inducements were held out to settlers by the government of Pennsylvania, both before the separation from Great Britain and since. Redstone settlement, on the Monongahela, was the first. Soon after other settlements were formed, principally in what are now Westmoreland and Allegheny counties. Pittsburg began to be built, and a town called Hannahstown, the first seat of justice of Westmoreland county, laid out, about 32 miles east of Pittsburg. A number of houses were erected, and it was the centre of a flourishing settlement, when it was burnt, and the inhabitants driven off for a time, by a marauding party of savages. It was never rebuilt; the seat of justice was transferred to Greensburg, about three miles distant. The ruins are yet to be seen.

The burning of Hannahstown, and the numberless depredations of the Indians, did not much retard the current of emigration. The country was fine, and land to be had for little more than the expense of surveying; and although separated by almost inaccessible mountains from the rest of the civilized world; and though the pack horse was for many years their only means of conveyance, they still persevered, looking forward to better times. Many venerable and worthy men are now living, in affluence, who endured these difficulties.

Previous to the year 1772, all this section of country

\* Hence the name of Pittsburg.



was comprised in the single county of Bedford. In that year, Northumberland county was erected, which, with a large section east of the mountains, comprehended a considerable portion of the western, lying east of the Allegheny river. In the following year, Westmoreland was erected, comprehending all that part of Bedford situated west of the Allegheny mountain; being the first county, the seat of justice of which was situated west of the mountains. As the population increased, new counties were erected, in the order following:

Washington, from Westmoreland in 1781.

Fayette, from " " 1783.

Allegheny, from " " 1788.

Lycoming, from Northumberland, in 1795. This is now an eastern county; but at that period it extended across the mountains, comprehending all that part of western Pennsylvania, formerly belonging to Northumberland.

Somerset, from Bedford, in 1795.

Greene, from Washington, in 1796.

Beaver, from Allegheny and Washington, in 1800.

Butler, Mercer, Crawford, and Erie, from Allegheny, in 1800.

Warren and Venango, from Allegheny and Lycoming in 1800.

Armstrong, from Allegheny, Westmoreland, and Lycoming, in 1800.

Indiana, from Lycoming and Westmoreland, in 1803.

Jefferson, from Lycoming, in 1804.

Cambria, from Huntingdon, in 1804.

Clearfield, from Lycoming, in 1804.

McKean, " " 1804.

Thus settlement after settlement was formed, until nearly all was filled up. The pack horse was superseded by the wagon; and this last is now giving place to the canal-boat and rail road car. The rude cabins of the first settlers are mouldering away; their thrifty occupants having long since deserted them, for more commodious, comfortable, and, in many instances, elegant mansions. Smiling villages, occupy the sites of Indian encampments; and a peaceful, intelligent community now have their happy homes upon the very soil which, within the memory of men now living, was the unimproved, uncultivated home of wandering, unsettled tribes, who roamed, in gloomy solitude, or in predatory hordes, through the interminable forest.

The physical features of this section of country are strong, and extremely various. In one section we find the bold, picturesque scenery of mountainous regions, often too wild to be reduced to order, or made subservient to the use of man. In another, the fertile plain, inviting to the husbandman from its fertility, and pleasing to the eye of the traveller, as the abode of peace and plenty. In a third, alternate hills and vallies, in pleasing variety, affording, together with a fruitful and generous soil, the two richest blessings of life, good water and good health. In a fourth, vallies watered by beautiful limpid streams form a scene, which of all others, the lover of nature the most delights to contemplate. Here, in a word, nature has scattered her bounties with a liberal hand—has equally removed it from the enervating influence of extreme fertility, and the

hard sterility, which denies the labours of the cultivator a full reward.

*Mountains.*—The Allegheny mountain, as was before observed, bounds this section of Pennsylvania on the east. When we speak of the Allegheny mountain in particular, we mean the great central elevation which divides the eastern from the western waters, and of which all the others are but spurs or branches; although all are frequently comprehended under the general denomination of Allegheny mountains. In almost all respects this mountain differs from the others. In approaching it from the eastward, it presents a bold and precipitous front, and from two to five miles will bring the traveller to the summit, from whence the descent westward is scarcely perceptible. Much of it might be called table-land; for even on the summit, tracts of level, and frequently excellent land extends for miles. Many fine farms are to be met with in these tracts; and, although it is what farmers denominate a cold soil, it well repays the labour of cultivation. But it is along the water courses that the genuine mountain features are to be seen. Rugged, precipitous hills, rocks and precipices, pine, laurel, and every variety of mountain shrubbery, together with the roaring of the wild and agitated stream, crowding at once upon the mind of the beholder, form a combination in the highest degree, picturesque and romantic.

The Laurel Hill, is the first branch of the Allegheny on its western side; and its direction is parallel with, and but a short distance from it. It forms the dividing line between Westmoreland and Somerset counties, thence passing through Fayette county, it leaves the State. In elevation it falls but little short of the Allegheny. Steep, rugged, and rocky, it cannot be cultivated. Its scenery is wild, and its aspect generally dreary and forbidding. The Conemaugh and Youghiogheny rivers have broken passages through it.

The Chesnut Ridge is the next and last elevation entitled to the appellation of mountain. It passes through Indiana, Westmoreland and Fayette counties, to the Youghiogheny river, where it appears to terminate. In altitude and rugged features it falls far short of the Laurel Hill.

The Allegheny river, and many of its tributaries, have their source in what may be termed mountainous regions: regions having all the features of mountains except their regular elevation.

*Rivers.*—The Allegheny, which traverses the northern section of western Pennsylvania, first claims attention. It rises in Potter county, whence, flowing in a north-western direction, it enters the state of New York; thence inclining more and more to the south, it re-enters Pennsylvania, at the N. E. corner of Warren county, and continues in a direction nearly south, passing through the counties of Warren, Venango, Armstrong, and Allegheny, unites with the Monongahela at Pittsburgh, and forms the Ohio.

The Ohio was considered by the Indians as the continuation of the Allegheny. The names are synonymous: Allegheny being a word in the dialect of the Delaware Indians, and Ohio in the Seneca, both signifying Fair river.

The importance of the Allegheny, consists chiefly in the lumber business, more than twenty millions of feet of which descend annually, from the vast pine forests through which it and its tributaries pass. A steam boat, built purposely for the navigation of this river, of from sixty to eighty tons burden, plies regularly between Pittsburg and Warren, a distance of about two hundred miles; and in one instance ascended to Olean Point, in the State of New York, a distance from Pittsburg little short of three hundred miles.

This river is universally admired for the unrivalled purity of its water; which is so transparent that the pebbles at the bottom may be frequently seen at a depth of twenty feet; for its smooth, yet lively current; and for the clean pebbly channel, through which it flows. Its navigation is safe and easy; and it is a remarkable fact, that, although it is, through a great part of its course, closely environed by high, steep, and frequently rocky hills, its channel is almost entirely free from rocks. Its scenery is highly romantic, and in some places assumes a wild grandeur, but rarely to be met with. The country along its banks partakes of a great variety of features: some of it is very fertile, and well settled and improved, some sterile, and incapable of cultivation, and other parts are highly valuable on account of the fine timber with which they are covered.

The *Monongahela* rises in Virginia, whence flowing northward, enters Pennsylvania, forming the dividing line between Fayette and Greene, Westmoreland and Washington, counties, then enters Allegheny county, in which it unites with the Allegheny river at Pittsburg. Its current is mostly gentle, and its waters rather muddy. It appears at first view of equal size with the Allegheny; but it falls far short of the latter in the quantity of water it discharges. The country through which the Monongahela meanders is perhaps the finest in western Pennsylvania. Large tracts of alluvial soil skirt its borders, and the hills are generally easy of ascent, and well calculated for cultivation. Steam boats ply regularly on this river between Pittsburg and Brownsville, in Fayette county, about forty miles. The name in the Indian dialect, signifies "the river of the falling in banks."

The Ohio, formed by the united waters of the Allegheny and Monongahela, has but a short course in western Pennsylvania. Passing through part of Allegheny it enters Beaver county, thence, leaving the State, it pursues its course of a thousand miles into the far west, till it mingles its waters with those of the Mississippi. It retains the general features of the Allegheny, rather than of the Monongahela, though the current is more gentle, and the water less limpid. This is decidedly the most important river in this section of country, forming as it does the great channel of communication with the vast and flourishing regions of the west and south. Its width is from one third to half a mile.

The *Conemaugh*, a tributary of the Allegheny, has its source in the Allegheny mountain, whence it pursues a north-western direction, till it meets the Allegheny, thirty miles above Pittsburg. It is in many places a rough, impetuous stream, of dangerous navigation.

It is important, however, as being the sole feeder of the western section of the Pennsylvania Canal, which follows the valley of this river, almost throughout its entire course. About twenty miles from its mouth, this river receives the waters of a creek, called Loyal Hannah; from which place the name of the river is absurdly changed from Conemaugh, to Kiskiminetas,—thus producing confusion in the mind of strangers. It may have been the result of accident or misunderstanding; but, however this may be, it is high time that the name of Kiskiminetas was stricken from the map.

The *Youghiogheny*, the principal tributary of the Monongahela, rises in the Allegheny mountain, near the Maryland line, whence pursuing a north-western direction, through Fayette and Westmoreland counties, it unites with the Monongahela, a few miles above Pittsburg. It is difficult to navigate, but affords fine water power, and flows, for a considerable part of its course, through a highly fertile and flourishing section of country.

There are many other fine streams in this section of country, some of which are navigable for a considerable distance. Water power is abundant, mills and other manufactories are numerous, and to be met with in all quarters. Nearly all these streams have clean pebbly channels, lively currents, and little or none of that grass, and other vegetable matter, which, putrifying, engender a variety of diseases. Hence agues are almost unknown in Western Pennsylvania.

The soil of the vallies, in the mountainous regions, is excellent, and well watered. Leaving the mountains, the country consists principally of arable hills, alternate vallies, or, as it is commonly called, rolling ground. However, near water courses, the hills are frequently too steep for cultivation, although possessing a fine soil, and clothed with the most luxuriant growth of timber. Such hills, having the proper exposure, would be well adapted to the culture of the vine. This latter description, holds good generally, respecting the greater part of Westmoreland—the western part of Fayette—all Washington—Allegheny—Beaver, and Indiana, for the most part, may be placed in the same class. The three first named counties, possess the finest land, and Washington is generally supposed to rank first in this respect. Mercer, Crawford and Erie, have large bodies of level land, of excellent quality; but better adapted to grazing than grain-growing. Butler, Armstrong, Venango and Warren, have soils so extremely various, that it would be impossible to give them a general character. Whilst large bodies might almost be pronounced worthless, and other large bodies are valuable only for the timber with which they are covered, there are many extensive tracts, which will not suffer in comparison with any land in Pennsylvania.

*Timber.*—There is no better criterion of soil than the timber which it produces. The soil best adapted to "small grain," will be found to produce abundance of white oak; yet almost invariably mixed plentifully with either hickory, chesnut, walnut, the other species of oaks, ash, or with several, or even all of these. But the white oak will predominate. On that best adapted to

Indian corn—hickory, walnut, cherry, or sugar maple will predominate. Beech, maple, black ash, &c. indicate good grass land; although hickory and the various species of oaks, except rock oak, frequently abound on such soils. Pine lands cannot be said to be good for any of the grains—they produce grass, when favourably situated, pretty well.

Almost every species of timber abounds on the Allegheny mountain; except white oak. The various species of pine predominate. Poplar, beech, sugar maple, chesnut and birch, are next in abundance. Some kinds of shrubbery are found which I have met with no where else. Wild cherry abounds in some parts, as also black, red and rock oaks, walnut, ash and hickory. Pines, poplars and chesnuts grow to huge size. In some places, where the soil is rich and humid, it is covered with a vegetation so dense and luxuriant as to seem absolutely impenetrable.

Chesnut, and red, and rock oak predominate on the Laurel Hill. On the Chesnut Ridge, chesnut is most abundant; poplar, the oaks, and most timber usually found on high grounds, also abound. It is heavily timbered. No pine is met with except along a few of the water-courses.

Except in the mountainous regions, and in the north-eastern section, no pines, properly so called, are found in Western Pennsylvania. One species, the hemlock, skirts the borders of some of the streams. Cedar is rarely met with in any part.

In the vallies, and along the water courses, hickory, ash, sugar-maple, cherry, elm, &c. &c. abound; the majestic sycamore skirts the borders of most of the larger streams. Leaving the vallies, the different species of oak are found greatly predominant. Black walnut abounds in some places, and always indicates a soil of extreme fertility.

In the neighborhood of Lake Erie, beech and sugar maple predominate. The soil is very good, but hard to clear, owing to the long, spreading roots of these trees. On the heads of the Allegheny and some of its tributaries, there are immense forests of white pine, from which the country bordering the Ohio is supplied with boards and shingles of the finest quality, and at very low prices.

The forest trees generally are of a large size, healthy and luxuriant in appearance, and frequently as thick as they can stand. Wood is plenty and cheap. Fruit trees are abundant, and the soil and climate well adapted to their fruitfulness. Grapes in great variety are found growing spontaneously; and some of them are of excellent quality, and would be well worthy of cultivation. This branch of rural economy is beginning to attract attention; and, so far as tested, the experiment has been successful.

In a word, whether we consider this section of country as regards its bold and variegated scenery; the fruitfulness of its soil; the purity of its waters; the salubrity of its climate; the variety and vigorous growth of its vegetable productions, or the well cultivated fields, and the pleasant dwellings of its industrious, virtuous and happy population, we find much to admire. The

ardent lover of nature may rusticate with delight amidst its solemn, wild, and romantic scenes, the political economist may calculate with pleasure its vast resources; and the philanthropist rejoice in the view of this favoured abode of simplicity and virtue, of plenty and contentment.

[To be Continued.]

## PROCEEDINGS OF FREE TRADE CONVENTION.

(Continued from page 261.)

Mr. POINDEXTER, of Mississippi, offered the following resolutions: (on the 3d day.)

*Resolved*, That we feel the strongest attachment to the Union of the States composing the Confederacy of the United States; and that we pledge our lives, our fortunes, and our sacred honor, to defend the same against all encroachments, internal and external, which may threaten its duration; which sentiment we cannot be induced, by any emergency, to yield, while the liberty of the people is preserved, and the rights of the parties to the compact respected according to the provisions of the Constitution.

2. *Resolved*, That all laws regulating labor by penal enactments, by bounties, or monopolies, are inconsistent with the principles of free Government, and a palpable violation of the inherent and inalienable rights of a free people; and contrary to the letter and spirit of the Constitution of the United States.

3. *Resolved*, That the obvious and legitimate object of a written Constitution, is to define the powers of the Government; to limit the action of the majority, and to protect the rights of the minority from invasion, by a usurpation of powers not enumerated in the grant.

4. *Resolved*, That the law of Congress, entitled "An act in alteration of the several acts imposing duties on imports," passed on the 19th day of May, 1828, is unequal in its operation on the great interests of the nation; oppressive on Agriculture, Commerce and Navigation. That said act recognizes and imposes a system of taxation, falling with peculiar injustice on those who cultivate the soil, and supply, by their industry, the export trade of the United States, and on all others not immediately engaged in manufactures; that, in effect, it assumes a power unknown to the Constitution, to regulate labor by bounties and monopolies, to the unlimited exercise of which power, a free people cannot, and ought not to submit, when all hopes of redress shall have vanished.

5. *Resolved*, That a solemn appeal be made to the patriotism and justice of the people of the United States, to unite in obtaining such modifications of the existing Tariff as may be essential to all the important interests of the people, and calculated to quiet the fears and satisfy the reasonable demands of every section of the Union; and also, that a Memorial, of like import, be addressed to the Congress of the United States, to be presented at their next session.

6. *Resolved*, That the preceding resolutions be referred to such Committee as may be appointed to prepare the aforesaid Address and Memorial."

*Fourth day.*—Wednesday, Oct. 5th, 1831.

At 12 o'clock the President took the Chair, when the minutes of the preceding session were read.

The following Delegates appeared and took their seats.

*From Virginia*, Littleton Upsher.—*New York*, James Heard, E. D. Comstock, Silas M. Stilwell.—*Maryland*, George Hoffman.—*Massachusetts*, John Pickens.—*South Carolina*, Thomas Fleming.—*New Jersey*, R. F. Stockton.—*North Carolina*, N. Bruner.—*Connecticut*, Roger Minot Sherman.

The President laid before the Convention a commu



nication, addressed to him by Mr. James Ronaldson, of the city of Philadelphia, relating to the price of iron at two different periods, which letter, on motion, was laid upon the table.

Mr. MITCHELL, of South Carolina, offered the following resolution:

*Resolved*, That the Federal Committee do inquire into the expediency of recommending the abolition of specific and minimum duties, and the substitution of the *ad valorem* duty on all imports.

Which resolution was, on motion of Mr. Mitchell, referred to the General Committee.

Mr. JONES, of Georgia, offered the following resolution:

*Resolved*, That this Convention accepts, with thankful acknowledgment, the copies of Mr. Cambreleng's Report on Commerce and Navigation, presented by John I. Mumford, for the use of the Convention.

Mr. STEVENS, of New York, moved to amend the same by striking out the name of Mr. Cambreleng, so as to make it read "Report of the Committee on Commerce and Navigation;" which was not agreed to, and then the resolution was adopted.

The Secretary stated that there were lying upon his table an invitation from the Franklin Institute to each member of this Convention, to attend its annual exhibition of manufactures.

Mr. PRESTON, of South Carolina, offered the following resolution:

*Resolved*, That a Committee be appointed by the President to wait upon the General Committee, now in session, for the purpose of ascertaining at what time they will be ready to report.

Which resolution was agreed to, and

Mr. PRESTON, and Mr. ROANE, of Virginia, were appointed that Committee.

In a short time, Mr. Preston, from the Committee last appointed, reported: That they had waited upon the General Committee, and received from the Chairman information that the Committee would be ready to report in a few minutes, or to ask further time.

Mr. BASSETT, of Virginia, offered the following resolution:

*Resolved*, That a Committee be appointed to confer with the Pennsylvania Delegation, in reference to the raising of a fund to pay the expenses incident to the meeting of this Convention.

The resolution was agreed to, and the following gentlemen were appointed:

Mr. Bassett, Mr. Sedgwick, Mr. Carpenter, Mr. A. P. Butler, Mr. Jones, of Georgia.

Mr. GALLATIN, from the General Committee, stated that that committee was not yet ready to report, but would be ready to do so at 4 o'clock this afternoon, and accordingly asked further time; when it was, on motion,

*Resolved*, That further time be granted, and that there be a recess of this Convention until 4 o'clock, P. M.

Mr. PRICE, of Pennsylvania, stated that he had been requested by the Managers of the Pennsylvania Hospital, to invite the individual members of this Convention to visit the said institution, at any time it may suit their convenience.

4 o'clock, P. M. The President announced the names of the following gentlemen, as having been invited by him to take seats within the bar of Convention.

The Consul General of Sweden.

The Charge d'Affairs, of Denmark.

The Hon. Judge Baldwin, of the Supreme Court of the United States.

The Hon. Judge Morgan, of Philadelphia.

Gen. Preston of Virginia.

The Hon. Warren R. Davis, Representative in Congress, from South Carolina.

The Hon. Mr. Johnston, a Senator from Louisiana.

Mr. BERRIEN, from the General Committee, reported the draft of an Address to the People of the U. States;

which having been read by him to the Convention, it was, on motion of Mr. Jones, of Georgia,

*Resolved*, That the said Address be laid upon the table, and that 300 copies be printed for the use of the members.

Mr. PRESTON, of South Carolina, moved, that when this Convention adjourn, it be to meet again at 10 o'clock to-morrow morning; which was agreed to, and, on motion,

The Convention adjourned.

*Fifth Day.*—Thursday, Oct. 6th, 1831.

At 10 o'clock, the President took the chair, when the minutes of the preceding day were read.

Mr. JOHN I. DONALDSON, a Delegate from Maryland, appeared and took his seat.

The President stated, that one of the members of the General Committee had informed him, that the Address to the People of the United States, reported yesterday, would not be ready until 12 o'clock, and he submitted to the Convention, the expediency of a recess until that hour.

Mr. POINDESTER, of Mississippi, offered the following resolution:

*Resolved*, That it be recommended to the Convention, that a committee of six be appointed, and requested to attend in the city of New York, and express to the Convention there to be assembled on the 26th of the present month, in the name of this Convention, a sincere desire to meet, in the spirit of conciliation, such Committee as they may appoint to confer on the modifications which ought to be made in the existing Tariff of duties, on goods, wares and merchandize imported into the United States, so as to render the same, as far as may be, equal in its operation, and satisfactory to the people of the United States; and submit the result of such conference to the permanent Committee, appointed by the preceding resolution.

Which resolution was laid on the table.

Mr. MITCHELL, of South Carolina, laid before the Convention a printed paper, addressed "To the Members of the Anti-Tariff Convention at Philadelphia," dated at Charleston, S. C. on the 24th of September, 1831, and signed by Benjamin Faneuil Hunt, Delegate from St James, Santee; which was ordered to be read.

The Secretary proceeded to the reading of the same, and after some progress therein, it was moved, by

Mr. PRESTON, of South Carolina, that the further reading be dispensed with, and that the document be laid on the table.

Which was agreed to.

On motion of Mr. Parsons, of Alabama, it was then *Resolved*, That there be a recess of the Convention until 1 o'clock.

A communication was read from Mr. John Sarchet, of Philadelphia, *practical Blacksmith*, containing some information on the subject of the price of iron, in answer to the statement made in Mr. Ronaldson's letter, which was yesterday laid before the Convention.

Mr. MITCHELL, of South Carolina, moved that the said letter be printed.

Mr. A. P. BUTLER, of South Carolina, proposed to add these words, in "conjunction with the letter of Mr. Ronaldson," which amendment was adopted by Mr. Mitchell as a modification; and the question having been put, the resolution was not agreed to.

Mr. POINDESTER moved to adjourn, but subsequently withdrew the motion, for the purpose of submitting the following resolutions:

*Resolved*, That 10 o'clock, A. M. daily be the standing hour for the meeting of this Convention, until otherwise directed.

Mr. JONES, of Georgia, moved that the Convention adjourn; and on the question being put, it was not agreed to.

Mr. MILLER, of South Carolina, moved that the Convention resolve itself into a Committee of the Whole,

upon the address to the people of the United States; which was agreed to.

The President appointed Mr. Sedgwick, of Massachusetts, Chairman of the Committee of the Whole, but Mr. Sedgwick not being at that moment present,

Mr. Banks, of Virginia, was appointed, and the President left the Chair.

After a short period, the President resumed the Chair when Mr. Banks reported that the Committee of the Whole had had under consideration the Address to the People of the United States, committed to them; that they had made some progress in the same, and had instructed their Chairman to ask leave to sit again.

Upon the question of granting leave to sit again, it was unanimously agreed to.

The following names were announced by the President during the day, of gentlemen invited by him to take seats within the bar of the Convention:

Mr. Ingham, late Secretary of the Treasury,

Mr. Saul Alley, of New York.

Mr. William D. Shepherd, of North Carolina.

Mr. John Hare Powell, of Philadelphia.

On motion of Mr. Berrien, of Georgia, the Convention adjourned.

[To be Continued.]

Reported for the Pennsylvania Inquirer.

#### BREACH OF PROMISE.

District Court, Nov. 2d, 3d, 4th and 5th, before Judge Hallowell and a Special Jury.

*Anne Rees vs. Jacob Rudy.*

This was an action brought to recover damages for a breach of promise of marriage, and the circumstances and commencement of the acquaintance of the parties, as detailed in evidence, appeared as follows:

Miss Catharine Rees, sister to the plaintiff, testified, that in August, 1829, while she and her sister were taking a walk out Fourth street, they were accosted by the defendant and another gentleman, who joined them; that the defendant inquired where they resided, and on their reply, informed them that he was a near neighbour; that they stopped at the College Garden, and got some refreshments, he remarking that there was no harm in it, as he was a neighbour; at this garden the other gentleman left them, when the defendant observed that the reason of his leaving them, was, that he did not think it right to accompany them as he was a married man, adding, so was I once, but I buried my wife, and always thought I would wait a year, but (addressing the plaintiff,) I have fallen in love with you and changed my mind. When they arrived home he requested permission to visit them, which was granted; his visits became frequent and uninterrupted, he and the plaintiff going out to take a walk or ride on different occasions; one evening he came in and handed a letter to plaintiff, saying he would make her a present of it, and immediately he went out on reading it, plaintiff exclaimed, "my God, what have I done, that any one should write so against me," "twas an anonymous letter, addressed to plaintiff, and signed "A well wisher," stating the plaintiff to be of a very violent temper, totally unfit to succeed the wife he had lost; this was accompanied by a note from defendant to plaintiff in German, the translation of which is as follows: "This letter is plainly written, and convinces me of its truth; I have therefore changed my mind, and don't intend to come again." Plaintiff wrote to defendant, who replied in writing; he afterwards came again as usual, remarking that the neighborhood had tried hard to break the match, but he did not intend they should glory in it; his visits were constant for some length of time, till one evening, when he told plaintiff that his sister in law objected to his marrying her, and therefore he could not do it. Plaintiff afterwards wrote to defendant, who replied, telling her to meet him at church, which she did; he went home with her

from church, and again repeated the objection of his sister-in-law, and in the course of the conversation which ensued, told her not to write to him or expect him any more; she complained of his treatment, and received the cavalier reply, that "she could do just as she pleased." He came once afterwards and remonstrated with her for going to law, observing that it would be a disgrace; to which she replied, that it would be no greater disgrace than to be slurred by the neighbours, as she now was. He said she was plenty young enough to get somebody, and what one did not want, another would be glad to get, and then took his leave; he never asked the parents' consent, wishing the marriage to be done slyly. The plaintiff is now in her twenty-first year, is a milliner, in the Northern Liberties, where the defendant, who is a comb maker, also resides.

Several other witnesses were called by plaintiff, who proved that they had often seen defendant at plaintiff's house.

The defendant declined examining any witnesses, and the respective Counsel addressed the Jury, a full review and recapitulation of the evidence being taken *pro and con*.

For the plaintiff it was contended that the case was fully made out, as laid in the declaration, that there were two requisites to be established to entitle the plaintiff to a verdict, viz:—1st, that there was a contract of marriage; 2dly, if there was such a contract, that it was broken by defendant. It was argued that these were fully made out, and that the plaintiff was entitled to heavy damages for the injury sustained to her health, her reputation and to herself; that an extraordinary and aggravated case had been presented against the defendant, without the slightest extenuation or justification on the part of the defendant; it was also remarked that the defence was conducted in a novel style, as witnesses were in court, and yet none examined in defendant's behalf; that its extraordinary character was only equalled by the novel and unusual style of *wooing* practised by the defendant.

For the defendant, it was contended that the case was not of the aggravated description represented by the plaintiff's counsel; that the defence did not require the examination of any testimony, as had been at first anticipated, the plaintiff's case being weak and not requiring any defence; that the principal and only important witness on the behalf of the plaintiff was her sister, liable to a prejudice and bias, created by affection and the ties of nature, from which the purest could not protect themselves; that the case showed an almost *unity* of existence between the sisters; who were always together, on every occasion alluded to; that the testimony of the principal witness *could* not be correct; that however pure she be, yet it is the fallacy of opinion to which all human nature is liable that persuades a belief of things, existing only in imagination, in which a witness has an interest, strong in passion and feeling; that the whole affair was a foolish transaction, (as love affairs generally are) approaching almost to childishness; that the damages (if any) should be merely compensatory, and only to such amount as the plaintiff had sustained injury, and that, as the case presented itself, no great injury accrued to the plaintiff, either to her health, her reputation, or her future prospects.

His honour, Judge Hallowell, charged the Jury that the case was fully made out by the plaintiff; that an engagement and promise of marriage, and subsequent breach by the defendant, were clearly established, and the defendant should answer in damages, the measure of which was the peculiar province of the Jury.

On Monday, the Jury returned with a verdict for plaintiff, with three hundred and fifty dollars damages.

For plaintiff.—John M. Scott and S. Keemle, Esquires.

For Defendant.—George M. Dallas and S. Rush, Esquires.

# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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ADDRESS OF THE

FRIENDS OF DOMESTIC INDUSTRY,

*Assembled in Convention at New York, Oct. 26, 1831,*

TO THE

PEOPLE OF THE UNITED STATES.

FELLOW CITIZENS:—

A numerous delegation from several states in the Union have convened in the city of New York, representing great national interests, which they are anxious, by the most efficient but peaceable means, to defend and support. In addressing themselves to the people of the United States, they invoke their candid attention to several topics of great national importance, without assuming any authority ultimately to decide them; conscious that their reasonings and opinions can have, and ought to have, no other influence or force than belongs to their truth and soundness.

A system of laws imposing duties for the encouragement and protection of domestic industry, upon the faith of which a large portion of the people of this country have invested their property, and given a new direction to their labor, and with a continuance of which are completely identified all their hopes of maintenance for themselves and their families, has been recently denounced as "distinguished by every characteristic which may define a tyranny, the most odious." The entire abolition of this system, vitally involving the interests of Farmers, Mechanics, Manufacturers, Merchants, and all the laboring classes, has been demanded in a tone that offers no hope of condition or compromise. A submission to such a demand, with or without the consent of those who must be the victims, would be marked by such scenes of ruin and despair, as no one, not blinded by the strongest passions of our nature, could witness without compunction.

We address ourselves, then, to the enlightened patriotism of our fellow citizens in every part of the Union; and we earnestly entreat them to accompany us in the examination which we propose to make of arguments and statements recently put forth; appealing to their clear discernment of truth, their high sense of duty, and their calm moral courage, to avert the evils that now seem to threaten the prosperity and peace of the country.

Of these topics, the first in order and the gravest in character, respects the constitutional power of Congress to pass the laws which are the subject of complaint.

As a constitutional question, the inquiry is not whether the laws are wise or unwise, whether in their operations they are always equal, or sometimes unequal, or whether individuals may not think them so wide a departure from a just administration of the powers of the government, as to be, in an indefinite and loose sense, inconsistent with the spirit of the constitution. The true and real question is, do they exceed the power of the law giver, and do they, for that reason, fail to be obligatory?

We dissent from the notion that laws plainly unconstitutional may yet be so framed as to escape the animadversion of the courts of law. If unconstitutional, their

true character will either appear on their face, or may be made to appear by stating the facts which fasten that character upon them. And if the motives which are supposed to have influenced Congress in their enactment, are not facts which may be properly inquired into to give them this character, the reason is, not that Congress has executed an unlawful power, or veiled an unlawful purpose under a general law, but that the general power being given to Congress to pass such laws, the purpose of the law, like its occasion, its duration, or any other part of its character, is constitutionally referred to the discretion of Congress.

The present constitution has been in operation (with a success not more gratifying to ourselves than surprising to the rest of the world) for forty-two years. Twenty-one different Congresses, regularly elected and appointed by the people, and their agents, and the state legislatures, have successively assembled to enact laws under its authority. Seven distinguished individuals have been called by the voice of the country to the chair of the Chief Magistracy, all holding, and some of them on various occasions, having exercised the power of giving a negative to such acts of Congress as, in their opinion, transcended the just limits of legislative authority. During the same period a Supreme Judicial Tribunal has existed, not less distinguished for purity and talent than for dignity and importance, whose high function it properly is to pronounce its solemn judgment on the constitutional extent of the power of Congress whenever any exercise of their power is complained of, and the case brought duly before it. Most of these successive Congresses have passed laws similar in character, in design, and in effect, to the acts now complained of; and all of them have unequivocally sanctioned their principle. All these Chief Magistrates, in like manner, have, without doubt or hesitation, recognised the existence of the power, and no question of its validity has been revised in the Judicial Tribunals. It is under this weight of authority, and this length of practice in its favor, and after the investment, upon the faith of it, of a capital probably amounting to two hundred and fifty millions of dollars, that a disposition has now sprung up to deny the power altogether, and to propose, if its exercise be persisted in, a resort to such means of redress as threaten the Union.

We cannot but persuade ourselves that before the American People abandon a system of laws, now of long continuance, passed at different times, by the constituted authorities, with the full approbation of the whole country; and especially, before they break up their Government and return to a state of anarchy, on the ground that such laws are unconstitutional, they will give to that question a very careful and serious consideration.

Before proceeding to express the general views entertained on this important subject, by the members of this convention, it is not altogether uninteresting to inquire how far admissions or concessions have been made by those who deny the existence of the power, notwithstanding the general and positive terms in which that denial is expressed.

It seems to us, indeed, that the plain object of the constitution, and the strong reason of the case have driven those who deny the power, even upon their own



mistaken view of its source, into the necessity of making admissions, which when made, leave no ground for their argument. They deny that Congress can rightfully lay duties for the sole, or main purpose, of encouraging manufactures; but they admit, at the same time, that Congress may lay duties for revenue, and that, in laying such duties, it may so arrange them as incidentally to give protection to manufactures. They admit, too, that Congress may lay duties not designed for revenue, but designed to countervail the injurious regulations of foreign powers. Are not these concessions inconsistent with the main proposition? How can it be longer denied that Congress may lay duties for protection, after it is conceded that it may arrange duties with that view? It cannot be true that the power was given for revenue only, and that it ought to be strictly confined to that object, and true, also, that in selecting subjects of duties, regard may be had to a different object.

An individual in society is the consumer of a particular foreign article; he finds it heavily taxed by duties, while other articles, equally capable of producing revenue, are untaxed. Does it make any difference to him, whether the article necessary to him was seized on, as the main purpose of the law, with the sole object of protection, or whether it was only incidentally selected in order to favour the manufacturer, while the commodities consumed by his neighbors, though equally fit subjects for a tax for revenue, are passed over in this incidental arrangement? Will not every ingenious mind at once agree that if the power to lay duties was conferred on Congress for the sole purpose of revenue, it is a violation of its trust to mingle any other purpose with that, as much as it would be to substitute an entire new purpose for it? Congress cannot look with one glance to revenue, and the other to protection, if the constitution limits its power to revenue alone. When it is thus said that protection is a fit object to be regarded incidentally, in laying duties, but that the general purpose must still be revenue, who shall inform us how much, in the motives of Congress, must be the main purpose of revenue, and how much may be the incidental purpose of protection? How high may the incidental object rise, and the law be yet constitutional; or at what point will it have approached so near the main, or the only object of the duty, as to render the law void? It may be answered, possibly, that the admission goes no farther than this: that when Congress has already resolved to lay duties, then it may, as a subsequent resolution, resolve to lay them on such a selection of articles as shall best favour manufactures. But would not such a subsequent resolution be wholly aside from the exercise of a mere revenue power? Would it not be a clear imposition of duties for protection? And might it not lead, practically, to the same consequences, since, under this admitted power of selection and arrangement, the whole burden of the government might be laid with a direct view to protection merely.

The other admission, that is, that Congress may lay duties to countervail the commercial relations of other states, seems to us still more decisive. This concedes, at once, that the power to lay duties is not a mere revenue power; for here is one admitted case, in which it may properly be exercised, which has no relation to revenue. Yet this is no particular or specified power. The constitution no more points out this as being a proper object, than it points out protection. If it be provided for at all, it is because it is embraced in the general words of the grant. It is there, or it is no where. Laws laying duties to countervail the regulations of other states, are regulations of trade. They are not only like laws of protection, but they are, emphatically, themselves laws of protection. They have usually no other end or design, than to protect the manufacturers or other interests of our own citizens, from the effect of unequal competition or monopoly on the part of other nations. Congress, then, upon this admission, may lay

duties with the single object of encouraging certain descriptions of domestic employment or industry; and it remains for those who concede this, and yet deny the general power, to show how it is, that Congress has power, in its discretion, to protect some classes of industry, and no power, in the same discretion, and by the same means, to protect others. But the admission goes still further. It not only furnishes an analogy for the case in argument, but meets and covers that identical case. The laws so much opposed, and whose constitutional validity is so loudly denied, are themselves no other than so many acts passed to countervail the injurious commercial regulations of foreign states.

The United States have not been the first to reject the theory of free trade. They have not introduced into the world new modes of legislation. They have not originated a system of protection; far otherwise. At the very moment they had succeeded to throw off their colonial bondage, and had established their own independence, they found that their condition, so far as respected Commerce, Agriculture and Manufactures, was but partially bettered by the change, because they found the ports of the leading states of Europe, shut up against their ships, and against their products. They offered free trade to all nations; but the nations, with one accord, rejected their offer. The subjects of other states were protected, as against them, by the laws of other states; but they were protected against nobody. It is undeniably true, that this condition of things was one of the very causes which led to the adoption of the present government. It is unquestionable, as matter of historic record, that one strong motive for forming and establishing the present constitution, was to organize a government that should possess the power of countervailing these foreign regulations by adequate measures, and thereby protecting the labour and industry of the people of the country. Countervailing laws were accordingly passed at the very first session of the first Congress; others have been passed at various times since; one and all, they partake of the same character, they are all countervailing laws, rendered expedient and necessary, by the policy pursued by other nations. The Republic is now composed of thirteen millions of people; all the principal products of eight or nine millions of these thirteen millions are, at this moment, shut out from the great market of consumption abroad, either by absolute prohibition or by high duties; and it is to meet this state of things, it is to countervail these foreign regulations, so injurious to us, it is to place ourselves on some footing of equality, it is to rescue the labour of the American people from an inferiority, a subjection, at once dishonorable and burdensome, at once degrading to its character, while it increases its toils, that those very laws were originally passed, have all along continued, and now exist. They are, therefore, countervailing laws and no other, in every just sense of these terms.

Having made these remarks on what is conceded by those who deny the power of Congress to protect manufactures, and on the effect of that concession, we proceed to present the view which this meeting entertains on the general constitutional question.

By the constitution, Congress has power, "to lay and collect taxes, duties, imposts, and excises." It has power also "to regulate commerce with foreign nations."

The power to lay duties is accompanied by one express qualification or limitation, which is, "that all duties shall be uniform throughout the United States." The power to regulate commerce has its limitation also, which is, that no regulation of commerce shall give preference to the ports of one state over those of another; and there is another limitation, which may apply to both clauses, namely, that no export duty shall ever be laid.

Here, then, is a grant of power in broad and general terms, but with certain specific limitations, carefully expressed. But neither of these limitations applies, in

any manner, to that exercise of the power which is now under consideration. Neither of them, nor any other clause or word in the whole constitution, manifests the slightest intention to restrain the words so far as to prohibit Congress from laying duties for protection. The attempt is nothing less than to add a restriction which the constitution has omitted. Who has authority to add this? If other restrictions had been intended, they would have been expressed. When the business of limitation was before the convention, what was omitted was as much an exercise of intention as what was expressed. It stated all the restraints on Congress which it intended, and to impose others now, would be, not to interpret the constitution, but to change it; not to construe the existing instrument, but to make another.

The words of the grant being general, to lay duties and to regulate commerce, their meaning is to be ascertained by reference to the common use and import of language. No unusual signification is to be given to the terms, either to restrain or enlarge their import. Congress, in its discretion, is to lay duties and to regulate trade for all the objects and purposes, for which duties are ordinarily laid, and trade ordinarily regulated. If such a thing was never before heard of as laying duties and regulating trade with a view to encourage manufactures, then it might be said that the Convention did not contemplate such an exercise of the power by Congress. But it was perfectly known to the convention, and to the people of this country, that one leading object with all governments, in laying duties and regulating trade, was, and for a long time had been, the encouragement of manufacturers. This was emphatically true of England, whose language the convention spoke, and whose legal and legislative phraseology was theirs also. Every leading state of Europe was, at that moment, regulating its commerce for a purpose of this nature. Such a purpose, indeed, had been long sought to be accomplished by some of the states themselves, by their own regulations of trade. Massachusetts, Virginia, and New York had attempted it, and we believe other states had done the same. How ineffectual all their attempts were, for want of union and a general system, was soon seen, and felt, by the whole country; but they shew to what ends, and to what uses the power to regulate trade was understood to extend. But not only in other nations, and in the states, before the adoption of the present constitution, as we shall have occasion to show hereafter, but in the United States since, and in the administration of this very constitution, regulations of trade have been made, in almost innumerable instances, with no view to revenue, but with a sole and exclusive regard to protection.

If our understanding of the Constitution, be not according to its true meaning, that instrument has been grossly violated from the beginning. What are all the registry acts; what the bounties on the fisheries, but so many avowed efforts to protect American industry, under the power of regulating trade? On what foundation does the whole system of the coasting trade stand? The American ship-builder, and ship-owner has enjoyed, from the first, and we think properly, not only protection in that trade, but the monopoly of it. He shuts out all foreign competition, and he does so on the ground that the public good is promoted by giving him this advantage. We think he is right in asking this, and the government right in granting it. Yet this is not free trade: it is preference; it is *protection*; and protection of a manufacture under the power to regulate trade. The laws giving this protection to the manufacturer, and the use of ships, may be wise, and laws protecting other manufactures may be unwise. But the first cannot be constitutional, and the latter not constitutional. If there be power for one, there is power for both. Both are drawn from the same grant, both operate by the same general means, and both regard the same object, the protection, namely, of American labor and capital, against foreign competition. If it be said that the navigation act is

founded in national policy, and that it is essential to national defence and national independence, we admit it, but we answer in the first place, that Congress could not exercise a power not granted, merely because it might be useful or necessary; and, in the second place, we say that the same remark is true of the policy of protecting manufactures. That policy, also, is essential to national independence. Iron, hemp, and clothing for sailors and soldiers are not less indispensable to national defence than ships and seamen. Not only in the general use of language, then, does the power of laying duties and regulating trade extend to the protection, by the use of such means, of domestic manufactures, but such has been the constant interpretation of the constitution itself.

We think, indeed, that when a general power is given to Congress by the Constitution of the United States, in plain and unambiguous words, their acts are constitutional and valid, if they are within the scope of the granted power; and that, in considering the validity of the law, the motives of the legislature can never be investigated. Having granted the power, with such limits expressed as were thought proper, its exercise, within those limits, is left to, the discretion of Congress.

What is the true character of the opposite doctrine? It is, that the constitutionality of the law depends, not on its provisions and enactments, but on the motives of those who passed it. Is not such a notion new? How are we to ascertain the motives of a legislature? By private inquiry; by public examination; by conjecture? The law may be passed on mixed motives: some members voting for revenue; some for protection; or one house may act with one view, and the other house with another. What will be the character of such a law?

According to this new theory, if the motives be constitutional then the act is: if the motives be unconstitutional, then the act is unconstitutional also. It follows, therefore, that a law passed by one Congress may be constitutional, which, if passed by another, though in the same words, would be unconstitutional. Besides, on this theory, a law may be unconstitutional for its omissions as well as its enactments; because in laying duties, articles may be omitted as well as articles inserted, from a design to favour manufactures.

We may pursue this inquiry a step further.

In order to ascertain whether an act were passed *primarily* for revenue, the construing power must be authorized to inquire whether the revenue be *necessary*. For if it be conceded that Congress has a constitutional power to raise an indefinite amount of revenue, such a concession will cover any system of impost that may ever be adopted. The right to raise more revenue than the expenses of government requires implies, the exercise of a power to tax under circumstances in which the raising of revenue cannot be a primary purpose, but in which a purpose to protect industry, or, in other words, what has been called the incidental object, may be rendered, in effect, the principal object of the tax, although veiled under the revenue power. For these reasons we say it follows as an inevitable consequence, under this view of the source of the protective power, that the constitutionality of any system of imposts, professing to be directed to revenue, must depend upon the fact, whether that revenue be *necessary* to the government or not.

The statement of such a consequence is sufficient to show what endless difficulties must embarrass the operations of the government in defining the limits of this incidental protection, which has been allowed to be the only protection that the constitution allows, and of itself affords, what we conceive to be, an unanswerable argument against referring the right to protect industry exclusively to that clause of the constitution which authorizes Congress to lay imposts, for the purposes of revenue.

To determine whether any proposed amount of re-

venue be necessary would, in a great number of cases, prove a fruitful source of vexatious and unprofitable controversy. One party—conceiving it wise to improve the face of their territory, with expensive roads and canals—to provide fortifications and munitions of war, and accumulate treasure in the expectation of national difficulties—would find good reason to maintain that a large revenue was indispensable to the nation. With this party a high and burdensome rate of imposts, fully adequate to the most extensive protection of manufactures that has ever been asked for, would be a constitutional application of the revenue power. Another party, more thrifty in their policy, holding that the expenditures of the government should be graduated to the lowest practicable scale of economy, would contend that nothing should be raised by duties above the ordinary supplies necessary for the pay of the public agents. With this class all the excess, above the sum that they might hold to be necessary, would be the fruit of an unconstitutional tax. Who should judge between these conflicting opinions? If such were the limits upon the power of Congress, it would be true, as has been said, that there might be acts in violation of the constitution, which would elude the notice of the judicial tribunals; but the evident absurdity of subjecting the right to exercise fundamental powers to so vague and intangible a standard of interpretation, furnishes one of the most satisfactory proofs, that no such intention existed in the minds of those who framed our constitution.

Pursuing the investigation, it will be found that the difficulty attending this notion of the source of the protecting power does not end with the impracticability of determining upon the necessity of revenue. It goes still deeper. It is affirmed, and no doubt with truth, that a reduction of duties upon the necessities or customary luxuries of a nation frequently increases the revenue. In such an event the defenders of the position that the power of Congress is limited to the supply of a necessary revenue, will find themselves unexpectedly put in possession of a surplus income which, according to the assumed principle, they had no right to raise; and it will be apparent that the people will be even more taxed than they were before; for the duty having been rendered productive of a larger amount of revenue to the government, a greater aggregate sum will have been taken from the pockets of the people; and it will then be found that Congress, instead of lessening the public burthens by their reduction of duties, will have only been encouraging the consumption of a greater quantity of the taxed article. A large consumption with a small tax being, in this case, more than equivalent to a small consumption with a large tax. And thus, in spite of all the the precautions which the most scrupulous guardians of the constitution may exercise, the public functionaries, against their will, and with the most conscientious desire to avoid infractions of the law, will oftentimes be fated to discover that they have produced unconstitutional results. The only remedy for which would seem to be to abandon this intractable mode of taxation by imposts and resort to direct taxes upon the people.

As long, however, as such results may follow the reduction of duties, it will be seen that a system which merely increases the consumption of imported commodities without diminishing the revenue, will be, in effect, the adoption of a policy for the encouragement of *foreign industry*. And we might here pause and ask, whether it can be supposed that the founders of our government intended to give a power to Congress to adopt a scheme of policy directed to the encouragement of *foreign labor* by a scale of low duties, without also allowing to that body a right, when they found it convenient to encourage *domestic industry* by a higher scale of duties? Let those who answer this question in the affirmative, show some reason for the opinion that the convention which framed the constitution should set more value upon a power to encourage for-

ign industry, under any possible necessity to exercise it than upon a similar power to encourage and protect our own.

We think we have said enough to indicate the pernicious tendencies of the doctrine, sustained by many eminent citizens of our land, which inscribes the right to protect domestic manufactures, solely to the revenue power conferred by the constitution upon Congress; and have demonstrated that this error, if adopted, must lead the public functionaries into practical embarrassments entirely irreconcilable with a wholesome administration of the laws.

With a view to show that the protection of manufacturing industry is mainly referable to the power to regulate commerce, and was intended to be embraced by the clause of the constitution that invests the supreme legislature with the power, in addition to the suggestions that we have already made, we deem it not unprofitable, briefly to recur to the history of the country, from which we shall derive lights, that may guide us to the most unerring conclusions, in confirmation of our doctrine. The narrative of events from 1783 to 1787, the circumstances attending the adoption of the constitution and the range of its early operations, whilst yet in the hands of its authors, afford a mass of testimony that Congress has but responded to the expectations of the country in so regulating trade as to furnish the requisite protection to the expansion and growth of our own labour.

The regulation of commerce was not a new term invented by the framers of the constitution. It was at the time of the adoption of that instrument by the people a term familiar to their apprehension and impressed upon their understanding, by the strongest comments that the history of oppression could furnish. The war of the revolution, that had just closed, sprang out of the conflicts in which the subject had been presented in the countless forms which an engrossing topic of complaint may be supposed to assume in the discussions of an excited and rebelling people. The same subject had been canvassed in the British Parliament, until argument and declamation were exhausted. The mother country had regulated the commerce of the colonies, through a series of odious and unfeling restrictions, for more than a century, until the phrase had acquired the notoriety of a hateful grievance. She had fettered their trade by cruel prohibitions, and controlled their labor by systems of denial that reduced them to the lowest state of suffering; yet it is remarkable, that, deeming this oppressive policy a lawful exercise of the prerogative of regulating commerce, the colonists submitted to these evils with a resignation that indicated their sense of the duty of obedience to an acknowledged though misused power. All manufactures calculated to bring wealth into the country, were strictly forbidden; the erection of forges, for example, was denounced as a nuisance, and these establishments were liable to be abated by that name; it was declared unlawful to export the simplest fabrics, even of shoes or hats, from one province to another. Still the people did not deny the legality of these attempts to regulate commerce. But when the right was assumed to collect revenue in the colonies for the benefit of the mother country, the first assertion of such a principle was met by open rebellion. The distinction was palpable enough, to every man, between these two pretensions of authority. It is worthy of remark, that Lord Chatham, in 1765 in the British House of Commons, distinctly defined the two branches of power, in terms that literally apply to the subject we have been discussing, and which show how clearly they were brought to the notice of the country; 'there is a plain distinction,' in his language, 'between taxes levied for the purpose of raising a revenue and duties imposed for the regulation of trade, for the accommodation of the subject; although in the consequences, some revenue might incidentally arise from the latter.' Indeed, the whole tenor of the



public discussion on those subjects, so rife at that period throughout England and America, furnishes the most conclusive evidence that a specified idea was attached to the phrase incorporated into our constitution, and that its scope was to include the idea of levying duties in such a form as to encourage and protect, or, at least, to control and direct the growth of domestic industry.

The complaints against the articles of confederation, for which the constitution was substituted, embraced, among other things, an objection to the forms by which the legislation in reference to the regulation of commerce was impeded; and it was a prominent design of the new constitution to remedy this defect. The right to lay even prohibitory duties was freely admitted in the discussion upon the constitution; and we may safely affirm that the whole nation, at that day, regarded such a power as one of the necessary conclusions from the grant that had been made. The subsequent action of the government corroborates this idea. The first approaches of the people to their new rulers were made in behalf of the exercise of a protecting power in favor of their industry. They spoke of the injury they had sustained under the former order of things; of the ruinous competition to which the policy of the mother country had exposed them; and demanded the establishment of a system of measures that should accomplish their favorite purpose of creating a vigorous domestic manufacture. The unrestrained admission of British goods had reduced our manufactures and artisans to absolute want: the free entry of British shipping had expelled our vessels from the ocean. From Charleston to Boston this condition of things was the subject of one loud and continued remonstrance; and the remedy for it was a prominent object in the establishment of a new general government. The ship-builders and the ship-owners complained that foreign bottoms brought to the country all that was imported, to their ruin; and they besought their fellow citizens to join them in measures of protection. The manufacturers and mechanics declared that it was of little importance to them in what bottoms articles were imported, since this unrestricted importation, in whatever bottoms, threatened to reduce them to starvation. Both had applied to their own state governments for redress, but these governments, from want of concert, could give no effectual relief. Attempts had been made to amend the articles of confederation for the very purpose of conferring this power upon Congress; but these attempts had failed. Hence it was that the establishment of the present government was hailed with the utmost enthusiasm and celebrated in the principal cities, by all classes, with manifestations of hope and joy.

The earliest legislation of the new government avows and adopts the principles for which we have been contending. The first important act on the statute book contains the following preamble:—'Whereas it is necessary for the support of government and the encouragement and protection of manufactures that duties be laid on goods and merchandize.' This preamble was written, supported and passed by those who had come recently from the convention where the Constitution had been formed. They were carrying into effect their own instrument. They seem, indeed,—for preambles are quite unusual,—to have introduced this for the purpose of shewing the country that its expectations would be fulfilled, and that the manufactures of the nation would be protected. If, therefore, the existing laws violate the constitution, the original act violated it. If this character of right be marred now, it was marred then, and marred by those who made it.

If protection be unconstitutional, this law carries unconstitutionality in its front; and yet not one member of the first Congress appears to have thought in unconstitutional. In the whole course of the debates, protracted through several weeks, no one expressed a doubt of the power of Congress to lay duties for protection; we may therefore affirm that the power was admit-

ted by all. Some articles were taxed for revenue only; some for protection only; and some for both. The published debates show all this, and we have already said, every Congress, from that day to this, has recognized the same power. Every President, beginning with him who is justly esteemed the Father of his Country, has sanctioned it, and most of them have recommended its exercise, in earnest terms. Indeed, it has been constantly exercised; protection has been given by the registry acts; it has been given by the tonnage duty acts; it has been given by the acts regulating the coasting trade; it has been given to the fisheries; it has been given to the cotton of Carolina; to the coal of Virginia; to the hemp of Kentucky; to the lead of Missouri and Illinois; to the sugar of Louisiana, to the iron of the middle, western and southern States; and it has been given to the various artisans, mechanics and manufacturers. It is now forty-two years since this system of protection began, and it has never been intermitted or suspended, with regard to many commodities, for a single hour. Is all this legislation now to be deemed unconstitutional? Are all these interests to be brought into jeopardy, and perhaps to ruin, upon this modern construction of the constitution?

Not only has Congress thus constantly exercised this power, but it has thought itself, from the first, under peculiar obligations to exercise it. It has considered that it would be guilty of a plain breach of duty if it should not exercise it; and so it was declared in its first session. This policy was more earnestly enforced upon Congress because the States had surrendered their whole power on this question, and were themselves, prohibited from exercising it by the constitution itself; since as they could not, as separate states, exercise it well, it was taken away from them and vested in the national legislature. It was said, therefore, and said truly, that it would be a fraud upon the States, if Congress, now the sole possessor of the power, should refuse to exercise it. The constitution had declared, that no State should lay any duty except for the mere purpose of enforcing its inspection laws. Is it conceivable, that the people would agree to deprive their own state governments of the power of protecting manufactures, by suitable regulations of trade, without consent of Congress, for any other reasons than because this power was intentionally transferred to the general Government? The doctrine now advanced, imputes the strongest absurdity, both to the framers of the constitution and to the people. It supposes them, instead of creating a new remedy for acknowledged evils, to have forever abolished the poor but only remedy which already existed. It supposes, that instead of giving to Congress, as was their avowed design, effectual power, to protect manufactures, they did no more than prohibit the States from exercising that power, and extinguish it as a thing to be deprecated everywhere and altogether. It supposes them to have imposed new shackles on their own limbs, and to have surrendered themselves, thus voluntarily bound, to the mercy of their foreign competitors and rivals. We cannot yield our assent to opinions which ascribe purposes like these, or a policy like this, either to the Convention, or to the people.

It only remains for us to add, that the public judgment has, at all times, affirmed the existence of this power, and approved its exercise. Even at this moment, there is no reason to doubt that nine-tenths of all the people hold the power to be constitutional. It is therefore, not only against the words of the constitution, against the manifest design of the nation in establishing it, against the uniform sense of Congress in passing laws under it, against the practice of forty years, never stayed or suspended, against the opinion of every tribunal in the country, as far as we are informed; but it is also against the entire conviction of a vast majority of the people themselves, that these new, and what we think dangerous opinions, are now brought forward as the true doctrines of the constitution.

It is an error to suppose that the *regulation of commerce* should necessarily imply the denial of a right to restrict, diminish or prohibit any particular branch of it. The suppression of any trade, injurious to the community, is as much a national concern, and as valuable an exercise of power, as the *encouragement* of other branches; and, indeed, in practice it must often occur that the conferring of special advantages upon one branch of trade may operate partially to the disadvantage of all others. Such is often the effect of treaties that reserve to the vessels of particular nations free entry to our ports; the commerce with such nations is promoted to the diminution of trade with others not embraced in the privilege. This, however, is a lawful, just and profitable regulation of commerce. Commerce includes all kinds of traffic, whether sustained upon the ocean in ships, or transported upon roads, rivers or canals: whether it belong to the system of domestic exchanges, or is conversant with the occupations of foreign countries; and it is the appropriate function of Congress to regulate it in such a manner as their wisdom may dictate, unlimited by any restraints except those which the constitution imposes on the power over the domestic intercourse of the states. The regulation of our commerce with the Indian tribes has subjected the traffic, from time to time, to all such restrictions as the national legislature found it prudent to adopt; and yet this right of regulation has passed unquestioned, though it has been directly exercised to the diminution of any species of traffic that has been considered hurtful.

It is nothing more than a regulation of commerce to shape our policy, in reference to our intercourse with foreign nations, by such rule as shall increase the products of our own labour to any amount that may render them also the subjects of a foreign trade, and thereby extend our commerce to new regions, and give it new accumulations of commodities. The agricultural products of a nation are not the only elements of its trade; its manufactures may be as desirable to foreign communities, and their transportation and exchange may become fully as valuable foundations of a rapid, enlarged and profitable commerce. Why, then, should the power to regulate commerce be supposed to be arrested at that middle point between the prosecution of an old trade and the commencement of a new one that may eventually, be rendered more expensive, useful and productive than any other? Such a restraint would seem to be utterly incompatible with the genius and character of any vigorous community, but especially with that of a young and healthy nation.

Before we leave this branch of our inquiry, we are anxious to present the constitutional question in one more point of view. The best expositor of the constitution is that instrument itself.

The tenth section of the first article of the constitution provides that "no state shall, *without the consent of Congress*, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws." The limitation which is here set upon the legislation of the states is within the controul of Congress. The *consent* of that body releases any state from the restriction expressed in this clause; and consequently Congress may permit either or all of the states separately, to levy such duty upon imports as they may think convenient: it may allow the state of South Carolina, for example, to enact a tariff of the highest rates of duties, directed exclusively to the protection of any branch of industry that she may wish to foster. It will be observed that the terms of this clause of the constitution absolutely forbid the idea that such a power is to be exercised for revenue. The state that imposes the duty is inhibited from taking the avails into its own treasury, but must pay them over to the general government; whilst that government, on the other hand, has the fullest power to levy and collect its own revenues, and consequently cannot be presumed to yield its consent to the state enactment upon considerations

of that nature. That consent, therefore, is intended to be given, if it be ever asked, from a conviction of the beneficial effect expected to be produced in the state that levies the duty—or in other words, of its value as a protection to state labor. With such a power on the part of Congress to permit a protective system to be enacted in the states severally, it would seem to be a solecism to suppose that the exercise of a similar power was intended to be denied to the national legislature itself, to whom has been emphatically entrusted the whole complicated and interesting concern of regulating commerce.

In dismissing this review of the principles and practice of our government in their relations to an important constitutional right, we take the occasion to say that we contemplate the character of the present opposition to what we have endeavoured to exhibit as the legitimate powers of Congress, with regret; and if we could persuade ourselves that it was destined to command the assent of any large portions of our population, we would say that we view it not without alarm. This opposition appeals not to the discretion of Congress; it seeks no modification, nor qualification, but demands an entire and absolute surrender of the principle. It is for the American people to decide whether this surrender can be made. For ourselves, we do not scruple to declare that in our opinion, to give up this power would be to give up the constitution. If Congress be stripped of this prerogative and the restriction against its exercise be still imposed upon the states, it is quite plain to our apprehension, that the doom of our happy and prosperous constitution is sealed. We consider this question, therefore, as vital; and we look to the perpetuation of the power which we have labored to defend, and its just exercise, to be indispensable to the preservation of that government which has conferred to the people of these states innumerable blessings.

[To be Continued.]

SUSQUEHANNA TRADE.—That a vast proportion of the product of that extensive, rich and densely populated district of country bordering on the Lakes in the neighborhood of the sources of the Susquehanna in the state of New York, is destined to be rendered tributary to the market of Philadelphia by the immediate completion of the great connecting link, the Central Rail Road, will be strikingly obvious on the slightest inspection of the map of that region, and a brief consideration of the advantages of transportation which will then be afforded.—The Chemung Canal and Ithaca and Oswego Rail Road, connecting Seneca and Cayuga Lakes with the Susquehanna, will perfect the links of intercommunication with that magnificent stream whose waters will roll the products of the adjoining territory, accumulating as they advance to the point of debarkation, whence they are to be conveyed to Philadelphia. Already are the inhabitants of the neighborhood of Ithaca endeavoring to anticipate this obvious result. A meeting has been recently held in the aforesaid place and resolutions adopted expressive of the propriety of constructing a rail road from Ithaca to the North River, called an extension of the Ithaca and Oswego rail road. Should this design prove successful, their intercourse with the city of New York will be established on a footing superior not only to their present circuitous medium, but also to any which can hereafter be offered to another market. Now is the period for exertion on the part of those who are interested in securing the commerce of that region. The local advantages now in possession of our state metropolis must be immediately brought into practical operation or partially relinquished forever. The alternate is one which should awaken our energies. The ever restless and enterprising disposition of the inhabitants of our sister state is too well known to prevent us to doubt the seriousness of their intentions or the resources which may be called into action for its accomplishment. Their capabilities, judging from the past, are limitless. *Miner's Journal.*

From the Montreal Gazette.

## EXPORTATION OF WHEAT.

Statement of the Exports of Wheat and Flour from Canada, from 1793 to 1830, with an estimate of the Crop and Consumption on the average of each five years, (assuming the consumption at nine bushels per head.)

Period.	Years.	Flour 1 barrel= 5 bushels of Wheat.		Wheat Bushels.	Wheat and Flour= Wheat Bushels.
		Barrels.	Equal to Wheat Bushels.		
1	1793	10900	54500	487000	541500
	1794	13700	68500	414000	483500
	1795	18000	90000	395000	485000
	1796	4300	21500	3106	24606
	1797	14000	70000	31000	101000
	Total,	60900	304500	1330106	1634606
2	Average,	12180	96000	266021	326921
	1798	9500	47500	92000	139500
	1799	14400	72000	129000	201000
	1800	20000	100000	217000	317000
	1801	38000	190000	473000	660000
	1802	28200	141000	1010033	1151033
3	Total,	110100	550500	1921033	2468533
	Average,	22020	110100	384206	493707
	1803	15432	77160	360892	438052
	1804	14067	70335	200043	270378
	1805	18590	92950	22016	114966
	1806	10997	54985	96909	151894
4	1807	20442	102210	231543	383758
	Total,	79528	397640	911403	1309943
	Average,	15905	79528	182281	264809
	1808	42462	212310	186858	399168
	1809	19476	97350	198469	295849
	1810	12519	62595	176900	233495
5	1811	10340	96700	8858	97553
	1812	37625	138125	263178	451302
	Total,	131422	657110	820258	1477358
	Average,	26284	131422	164051	295473
	1813	517	2585	000	2585
	1814	1217	6085	000	6085
6	1815	1920	9600	000	9600
	1816	1135	5675	000	5675
	Total,	4789	23945	000	25945
	Average,	1222	5986	000	5986
	1817	28047	190235	145660	335895
	1818	30543	152715	401791	554506
7	1819	12085	50440	37895	98325
	1820	45369	226845	319048	535893
	1821	22635	113175	318483	431658
	Total,	148680	743400	1222877	1956277
	Average,	29736	148680	244575	391255

Period.	Years.	Flour 1 barrel= 5 bushels of Wheat		Wheat Bushels.	Wheat and Flour= Wheat Bushels.
		Barrels.	Equal to Wheat Bushels.		
7	1822	47247	236235	147285	383520
	1823	46250	231250	4510	535760
	1824	41901	209505	5896	214901
	1825	40003	200015	671801	918031
	1826	33640	163200	228635	396835
8	Total,	209041	1045205	1103842	2149047
	Average,	41808	209041	220768	429800
	1827	54023	270115	391420	661585
	1828	35720	178600	117714	296314
	1829	11783	58915	40462	99377
9	1830	71749	358745	590081	948826
	1831	.....	.....	.....	.....
	Total,	.....	.....	.....	.....
	Average,	.....	.....	.....	.....

1 Population,	184000	5 War 1812 to 1815.
Consumption,	1656000	Deficient Crops.
Export,	326921	Flour in the market 40s.
		per quintal.
Average Crop,	1983000	6 Population,
		590000
2 Population,	245000	Consumption,
		5310000
Consumption,	2205000	Export,
Export,	493707	391255
Average Crop,	2699000	7 Average Crop,
		5701000
3 Population,	336000	Population,
		729000
Consumption,	3024000	Consumption,
Export,	261809	6561000
Average Crop,	3286000	Export,
Lumber Trd. commenced		429809
		6991000
4 Population,	395000	8 Population,
		898000
Consumption,	3555000	Consumption,
Export,	295473	8082000
Average Crop,	3850000	Export,
		741000
		Average Crop, 80823000
		* Assuming 1,800,000
		as Export for 1831.

The crop of 1830 was nearly, perhaps quite 10,000,000 of bushels, or between a seventh or an eighth above an average. In 1831, about one-fifth more seed is supposed to have been sown, but the produce was not generally so great in proportion as in 1830—hence this year's crop is variously estimated; some calling it only equal to last, others about one-tenth more, or according to our figure, 10,000,000 to 11,000,000 bushels.

\* Note.—1802 to 1830 are from official returns, 1793 1801, are given in round numbers, and are sufficiently accurate for all purposes.



## PROCEEDINGS OF FREE TRADE CONVENTION.

*(Continued from page 261.)**Sixth Day—Friday, October 7th, 1831.*

At 10 o'clock, the President took the Chair, when the minutes of the preceding session were read.

The Hon. C. C. Cambreling, and Mr. Wm. B. Lawrence, were invited to take seats within the bar of the Convention.

The President then announced the order of the day to be, that this Convention do resolve itself into a Committee of the Whole, for the purpose of taking into consideration the Address to the People of the United States, reported from the General Committee.

Mr. Berrien of Georgia, moved that the Committee of the Whole be discharged from the further consideration of the said Address; which motion was seconded by Mr. Cheves of South Carolina, and on the question being taken, was agreed to.

The President then stated that the Address to the People of United States was before the Convention.

Mr. Gallatin, of New York, moved to amend the said Address, by striking out that part thereof which commences with the words, "In justice to that body," in paragraph fifth, and which terminates with the words, "stand upon our chartered rights?" at the end of the eighth paragraph.

Upon this motion, the yeas and nays were called by many members, and were as follows.

## YEAS:

*Massachusetts*—Theodore Sedgwick, Joseph Ropes.  
*Rhode Island*—William Hunter.

*New York*—Jonathan Goodhue, Thomas R. Mercein, John A. Stevens, Isaac Carow, John Constable, James Boorman, George Griswold, Benjamin L. Swan, George T. Trimble, Zebedee Ring, Albert Gallatin, Jacob Lorillard, James G. King, Charles H. Russell, Isaac Bronson, James Heard, Silas M. Stilwell.

*New Jersey*—C. L. Hardenbergh, J. C. Van Dyck, J. Bayard Kirkpatrick, Miles C. Smith, Henry Clow, Henry Vethake, John R. Thomson, R. F. Stockton.

*Pennsylvania*—Edward D. Ingraham, Samuel Spackman, Thomas P. Cope.

*Maryland*—George Hoffman, John J. Donalson.

*North Carolina*—Edward B. Dudley.

*South Carolina*—Henry Middleton.—35.

## NAYS:

*Maine*—Joshua Carpenter, Charles Q. Clapp, S. H. Mudge.

*Massachusetts*—Henry Lee, T. S. Pomeroy, Samuel Swett, Gideon Tucker, John L. Gardner, George Peabody, Pickering Dodge, Isaac Newhall, Henry Williams, Edward Craft, William Goddard, Ebenezer Breed, Thomas P. Bancroft, John Pickens.

*New York*—Preserved Fish, John Leonard, Edwin Bergh, H. Kneeland.

*New Jersey*—John Potter.

*Pennsylvania*—Joseph R. Evans, George Emlen, Clement C. Biddle, J. M. Barclay, E. Littell, Samuel F. Smith, Isaac W. Norris, Richard Price, Henry R. Watson, John A. Brown, Philip H. Nicklin, Condé Raguet, William McIlhenny.

*Maryland*—William W. Handy, Arnold D. Jones.

*Virginia*—Philip P. Barbour, Henry E. Watkins, Richard Booker, James M. Garnett, Samuel L. Venable, Thomas R. Dew, Walker Hawes, Philip A. Dew, John Brockenbrough, Thomas Miller, William G. Overton, George C. Dromgoole, Randolph Harrison, Charles Yancey, Robert Hurt, Ferdinand W. Risque, Malcolm Macfarland, Thomas W. Gilmer, Burwell Bassett, H. R. Anderson, Josiah Ellis, Charles Everett, Alex. Gordon Knox, George M. Payne, James S. Brander, William Maxwell, Benjamin F. Dabney, R. O. Grayson, S. A. Storrow, Charles Cöcke, John W. Jones, William O. Goode, William Townes, John Dickinson, William B. Rogers, William P. Taylor, John H. Bernard, Linn

Banks, William H. Roane, James Lyons, John Tabb, James Jones, Thomas T. Giles, Archibald Bryce, Jr. James Magruder, Benjamin H. Magruder, William Daniel, Jr. S. H. Davis, Littleton Upsher.

*North Carolina*—Joseph B. Skinner, Louis D. Wilson, James Iredall, William R. Holt, Joseph B. G. Roulhac, William A. Blount, Joseph D. White, S. T. Sawyer, David Outlaw, Thomas S. Hoskins, John E. Wood, J. W. Cochran, Nathaniel Brewer.

*South Carolina*—Zachariah P. Herdon, James G. Spann, P. W. Davie, James Cuthbert, Thomas Pickney, T. D. Singleton, William Butler, Joseph W. Allston, Henry K. Gruger, Charles Macbeth, Henry C. Young, A. P. Butler, H. A. Middleton, Thomas R. Mitchell, W. Wilkinson, Philip Tidyman, Stephen D. Miller, William Pope, Job Johnston, John D. Edwards, John Carter, Langdon Cheves, Joseph E. Jenkins, Hugh Wilson, J. H. Glover, T. Pickney Alston, Edward Richardson, William Harper, William C. Preston, Daniel E. Huger, Hugh S. Legare, John Taylor, Thomson T. Player, J. Berkley Grimbail, James Rose, William Smith, Thomas Williams, Jr. Thomas Flemming, John Fraser.

*Georgia*—Eli S. Shorter, Robert Habersham, Alexander Telfair, John Cumming, Seaborn Jones, J. Macpherson Berrien.

*Alabama*—John A. Elmore, Benajah S. Bibb, Enoch Parsons, Alfred V. Scott, John W. Moore, Howell Rose, P. Waters, Henry Goldthwaite, Ward Taylor, Archibald P. Baldwin, William J. Mason.

*Mississippi*—George Poindexter.

*Tennessee*—William E. Butler, Alexander Patton.—159.

Yeas 35—Nays 159.

So the motion to strike out was not agreed to.

Mr. JOHNSON, of South Carolina, then moved to amend the Address, by striking out from the seventh paragraph, these words—"they admit the power of Congress to lay and collect such duties as they may deem necessary for the purposes of revenue, and within these limits, so to arrange those duties as incidentally, and to that extent, to give protection to the manufacturer. They deny the right to convert what they denominate the incidental, into the principal power, and transcending the limits of revenue, to impose an additional duty, substantively and exclusively for the purpose of affording that protection."

Mr. WATERS, of Alabama, moved to amend the amendment, so as to strike out only the words "so to arrange those duties as"—which would leave the language of the Address thus: "They admit the power of Congress to lay and collect such duties as they may deem necessary for the purposes of revenue, and, within these limits, incidentally, and to that extent, to give protection to the manufacturer."

Some debate having arisen on this amendment, Mr. Edwards, of South Carolina, asked if it would be in order to call for the previous question, but the President decided that, according to Parliamentary proceedings, such a motion would not be in order, although it would be in order according to the rules of the House of Representatives of the United States.

Mr. EDWARDS then moved that the rules of Congress should be adopted for this occasion; but the President decided that no question not immediately relating to the subject of the Address, could now be submitted, without a departure from Parliamentary order.

Mr. LYONS, of Virginia, then moved to lay the amendment, with the Address, on the table, for the present,

Which motion was not agreed to.

Mr. JOHNSON then stated that, as he had accomplished his object by having his motion recorded on the journal, he would now withdraw it; and this having accordingly been done, the amendment proposed by Mr. Waters was no longer before the Convention.

The question having been put by the President, Shall the Address be adopted?

The yeas and nays were called for by many members. Mr. HERNDON, of South Carolina, stated that he should vote in favor of the Address, with the exception of the passage which Mr. Johnston had moved to strike out.

The yeas and nays were as follows:

#### YEAS.

*Maine*—Joshua Carpenter, Charles Q. Clapp, S. H. Mudge.

*Massachusetts*—Henry Lee, T. S. Pomroy, Gideon Tucker, Horatio Byington, John L. Gardner, George Peabody, Pickering Dodge, Isaac Newhall, J. W. Rodgers, Henry Williams, Edward Cruft, William Goddard, Ebenezer Breed, Thomas P. Bancroft, John Pickens.

*New York*—Preserved Fish, John Leonard, Edwin Bergh, Jonathan Goodhue, Jacob Lorillard, H. Kneeland, Isaac Bronson, James Heard.

*New Jersey*—John C. Schenck, John Potter.

*Pennsylvania*—Joseph R. Evans, George Emlen, Clement C. Biddle, Edward D. Ingraham, J. M. Barclay, E. Littell, Samuel F. Smith, Isaac W. Norris, Richard Price, Henry R. Watson, John A. Brown, Philip H. Nicklin, Condy Raguet, William McIlhenney.

*Maryland*—William W. Handy, Arnold D. Jones, George Hoffman, James J. Donaldson.

*Virginia*—Philip P. Barbour, Henry E. Watkins, Richard Booker, James M. Garnett, Samuel L. Venable, Thomas R. Dew, Walker Hawes, Philip A. Dew, John Brockenbrough, Thomas Miller, William G. Overton, George C. Dromgoole, Randolph Harrison, Richard Jones, Charles Yancey, Robert Hurt, Ferdinand W. Risque, Malcomb Macfarland, Thomas W. Gilmer, Burwell Bassett, H. R. Anderson, Josiah Ellis, Charles Everett, Alex. Gordon Knox, George M. Payne, James S. Brander, William Maxwell, Benjamin F. Dabney, R. O. Grayson, S. A. Storror, Charles Cocke, John W. Jones, William G. Goode, William Townes, John Dickinson, William B. Rogers, William P. Taylor, John H. Bernard, Linn Banks, William H. Roane, James Lyons, John Tabb, James Jones, Thomas T. Giles, Archibald Bryce, Jr. James Magruder, Benjamin H. Magruder, William Daniel, Jr. S. H. Davis, Littleton Upsher.

*North Carolina*—Joseph B. Skinner, Louis D. Wilson, James Iredell, William R. Holt, Joseph B. G. Roulhac, Edward B. Dudley, William A. Blunt, Joseph D. White, S. T. Sawyer, David Outlaw, Thomas S. Hoskins, John E. Wood, J. W. Cochran, Nathaniel Brner.

*South Carolina*—Zachariah P. Herndon, James G. Spann, F. W. Davie, James Cuthbert, Thomas Pinckney, T. D. Singleton, William Butler, Joseph W. Allison, Henry N. Cruger, Charles Macbeth, Henry C. Young, A. P. Butler, A. H. Middleton, Thomas R. Mitchell, W. Wilkinson, Philip Tidyman, Stephen D. Miller, William Pope, John Fraser, Job Johnson, John D. Edwards, John Carter, Langdon Cheves, Joseph E. Jenkins, Hugh Wilson, J. H. Glover, T. Pinckney Alston, Edward Richardson, William Harper, William C. Preston, Henry Middleton, Daniel E. Huger, Hugh S. Legare, John Taylor, Thomson T. Player, J. Berkley Grimbail, James Rose, William Smith, Thomas Williams, Jr. Thomas Flemming.

*Georgia*—Eli S. Shorter, Robert Habersham, Alexander Telfair, John Cumming, Seaborn Jones, John Macpherson Berrien.

*Alabama*—John A. Elmore, Benjamin S. Bibb, Enoch Parsons, Alfred V. Scott, John W. Moore, Howell Rose, P. Waters, Henry Goldthwaite, Ward Taylor, Archibald P. Baldwin, William J. Mason.

*Mississippi*—George Poindexter.

*Tennessee*—William E. Butler, Alexander Patton.—170.

#### NAYS.

*Massachusetts*—Theodore Sedgwick, Joseph Ropes.

*Rhode Island*—William Hunter.

*Connecticut*—Roger Minot Sherman.

*New York*—Thomas R. Mercin, John A. Stevens, Vol. VIII. 44

Isaac Carow, John Constable, James Boorman, George Griswold, Benjamin L. Swan, George T. Trimble, Zeb- edee Ring, Charles H. Russell, Silas M. Stilwell.

*New Jersey*—C. L. Hardenbergh, J. C. Van Dyck, J. Bayard Kirkpatrick, Miles C. Smith, Henry Clow, Henry Vethake, John R. Thomson, R. F. Stockton.

*Pennsylvania*—Samuel Spackman, Thomas P. Cope.—27.

So the Address was adopted.

Mr. BERRIEN, from the General Committee, reported the following resolutions:

1. *Resolved*, That the Committee who were instructed to prepare a Memorial to Congress, setting forth the evils of the existing Tariff of duties, and asking the modification of the same, be discharged from that duty.

Which resolution was agreed to.

2. *Resolved*, That a Committee, to consist of one member to be selected from each State represented in this Convention, be appointed by the President, whose duty it shall be to prepare a Memorial to Congress, setting forth the evils of the existing Tariff of duties, and asking such a modification of the same, as shall be consistent with the purposes of revenue, and equal in its operation on the different parts of the United States, and on the various interests of the same: That it shall be the duty of the said Committee to collect the evidence necessary to support the said Memorial, to present it to Congress at its next session, and to attend personally at Washington, for the purpose of promoting the same.

That the said Committee be instructed to insist in the said memorial—

That the present Tariff System is unequal in its operation, and therefore, unjust—that it is oppressive, because it imposes burthens on the many for the benefit of the few—unwise and impolitic, since its tendency is to disturb the harmony of the Union—that it is inconsistent with the principles of free Government, and at variance with that spirit of justice and mutual concession, in which the Constitution was conceived and adopted—operating unequally and unjustly upon the different portions of this Union, having a direct and almost inevitable tendency to demoralize our people, and calculated to produce discontent among the people of the United States, by a numerous and respectable portion of whom it is believed to be unconstitutional and void; and, finally, that its effect is to diminish the productive resources of the country, and to lessen the amount of the necessities and conveniences of life which are enjoyed by our people.

And that the said Committee be instructed, moreover, to express the willingness of the memorialists to acquiesce in such an interposition of the legislative power, as shall be prospective in its operation, thereby avoiding any sudden revulsion which might operate with undue severity on the manufacturing interest, but leading to the desired result with the least possible injury to the interests which have grown up under the existing system of protective duties.

Mr. SHORTER, of Georgia, moved that the words, "and is, in many respects, infinitely more oppressive upon the poor than upon the rich," be inserted after the words "our people," at the end of the third paragraph, which amendment was agreed to.

Mr. LITTELL, of Pennsylvania, moved that the words "and void," be stricken out from the third paragraph; which amendment was also agreed to.

Mr. PRESTON, of South Carolina, moved to strike out from the resolution, that part which rendered it obligatory upon the members to attend personally at Washington.

Which motion was not agreed to; but the resolution was so amended as to insert these words, or "by a sub-committee," so as to make it read, "to attend personally, or by a sub-committee at Washington, for the purpose of promoting the same."

Mr. POINDEXTER, of Mississippi, stated, that his being

at this time a member of the Senate of the United States, would render it improper for him to act as a member of the Committee on the Memorial, when it was, on motion.

*Resolved*, That Mr. Poindexter be excused from serving on said Committee.

The question was then put on the adoption of the resolution as amended, and the yeas and nays having been called by many members, were as follows:

## YEAS.

*Maine*—Joshua Carpenter, Charles C. Clapp, S. H. Mudge.

*Massachusetts*—Henry Lee, T. S. Pomeroy, Gideon Tucker, Theodore Sudgwick, John L. Gardner, George Peabody, Pickering Dodge, Joseph Ropes, Isaac Newhall, Henry Williams, Edward Cruft, William Goddard, Ebenezer Breed, Thomas P. Bancroft, John Pickens.

*Rhode Island*—William Hunter.

*Connecticut*—Roger Minot Sherman.

*New York*—Preserved Fish, John Leonard, Edwin Bergh, Jonathan Goodhue, Thomas R. Mercein, John A. Stevens, Isaac Carow, John Constable, George Griswold, Benjamin L. Swan, George T. Trimble, Zebedee Ring, Albert Gallatin, Jacob Lorillard, James G. King, Charles H. Russell, H. Kneeland, Isaac Bronson, James Heard, Silas M. Stilwell.

*New Jersey*—C. L. Hardenberg, J. C. Van Dyck, J. Bayard Kirkpatrick, Miles C. Smith, Henry Clow, John C. Schenck, John Potter, John R. Thomson, R. F. Stockton.

*Pennsylvania*—Joseph R. Evans, George Emlen, Clement C. Biddle, Edward D. Ingham, J. M. Barclay, E. Littell, Samuel F. Smith, Isaac W. Norris, Richard Price, Henry R. Watson, John A. Brown, Philip H. Nicklin, Condy Raguet, Samuel Spackman, Thomas P. Cope, William McIlhenney.

*Maryland*—William W. Handy, Arnold D. Jones, George Hoffman, John J. Donaldson.

*Virginia*—Philip P. Barbour, Henry E. Watkins, James M. Garnett, Samuel L. Venable, Thomas R. Dew, Walker Hawes, Philip A. Dew, John Brockenbrough, Thomas Miller, William G. Overton, George C. Dromgoole, Randolph Harrison, Richard Jones, Charles Yancey, Robert Hurt, Ferdinand W. Risque, Malcolm Macfarland, Thomas W. Gilmer, Burwell Bassett, H. R. Anderson, Josiah Ellis, Charles Everett, Alex. Gordon Knox, George M. Payne, James S. Brander, William Maxwell, Benjamin F. Dabney, R. G. Grayson, S. A. Storrow, Charles Coke, John W. Jones, William O. Goode, William Townes, John Dickson, William B. Rogers, William P. Taylor, John H. Bernard, Linn Banks, William H. Roane, James Lyons, John Tabb, James Jones, Thomas T. Giles, Archibald Bryce, Jr. James Magruder, Benjamin H. Magruder, William Daniel, Jr. S. H. Davis, Littleton Upsher.

*North Carolina*—Joseph B. Skinner, Louis D. Wilson, James Iredell, William R. Holt, Joseph B. G. Roulhac, William W. Jones, Edward B. Dudley, William A. Blount, Joseph D. White, S. T. Sawyer, David Outlaw, Thomas S. Hoskins, John E. Wood, J. W. Cochran, Nathaniel Bruer.

*South Carolina*—James G. Spann, F. W. Davie, James Cuthbert, Thomas Pinckney, T. D. Singleton, William Butler, Joseph W. Alston, Henry N. Cruger, Charles Macbeth, A. P. Butler, H. A. Middleton, Thomas R. Mitchell, W. Wilkinson, Philip Tidyman, Stephen D. Miller, William Pope, John Fraser, Job Johnson, John D. Edwards, John Carter, Langdon Cheves, Joseph E. Jenkins, Hugh Wilson, J. H. Glover, T. Pinckney Alston, Edward Richardson, William Harper, William C. Preston, Henry Middleton, Daniel E. Huger, Hugh S. Legare, John Taylor, Thomson T. Player, J. Berkeley Grimbail, James Rose, William Smith, Thomas Williams, Jr. Thomas Flemming, John Comming, Seaborn Jones, John M. Berrien, P. Waters

Henry Goldthwaite, Ward Taylor, Archibald P. Baldwin, William J. Mason.

*Mississippi*—George Poindexter.

*Tennessee*—William E. Butler, Alexander Patton.—189.

## NAYS:

*South Carolina*—Zachariah P. Herndorn, Henry C. Young.—2.

Yeas—169—Nays 2.

So the resolution was adopted, in the words following, viz:

*Resolved*, That a committee, to consist of one member to be selected from each State represented in this Convention, be appointed by the President, whose duty it shall be to prepare a Memorial to Congress, setting forth the evils of the existing Tariff of duties, and asking such a modification of the same, as shall be consistent with the purposes of revenue, and equal in its operation on the different parts of the United States on the various interests of the same, that it shall be the duty of the said Committee to collect the evidence necessary to support the said Memorial, to present it to Congress at its next session, and to attend personally, or by a sub-committee, at Washington, for the purpose of promoting the same.

That the said Committee be instructed to insist in the said memorial—

That the present Tariff System is unequal in its operation, and therefore unjust—that it is oppressive, because it imposes burthens on the many for the benefit of the few—unwise and impolitic, since its tendency is to disturb the harmony of the Union—that it is consistent with the principles of free government, and at variance with that spirit of justice and mutual concession, in which the Constitution was conceived and adopted, operating unequally and unjustly upon the different portions of this Union, having a direct and almost inevitable tendency to demoralize our people, and calculated to produce discontent among the people of the United States, by a numerous and respectable portion of whom, it is believed to be unconstitutional; and finally, that its effect is to diminish the productive resources of the country, and to lessen the amount of the necessities and conveniences of life, which are enjoyed by our people—and is, in many respects, infinitely more oppressive upon the poor than upon the rich.

And that the said Committee be instructed, moreover, to express the willingness of the memorialists to acquiesce in such an interposition of the Legislative power, as shall be prospective in its operation, thereby avoiding any sudden revulsion which might operate with undue severity on the manufacturing interest, but leading to the desired result, with the least possible injury to the interests which have grown up under the existing system of protective duties.

Mr. POINDEXTER, of Mississippi, called up a resolution offered by him yesterday, and which had been laid on the table, relative to the appointment of a Committee from this Convention, to attend the Convention to be held in New York on the 26th inst.; when the Convention proceeded to consider the same.

It was then moved that there be a recess of the Convention until half past 4 o'clock; which was agreed to.

[To be Continued.]

**BREWERY.**—We have had occasion formerly to speak of Mr. A. Y. Moore's Brewery, in this place, as a manufactory offering advantages not always available to those of our inhabitants who are fond of that excellent beverage which it yields. The present arrangements of the proprietor are sufficiently extensive to afford a supply equal to the demands of the whole of our country.—*Miner's Journal.*



## COMMERCE OF THE U. S. AND PENNSYLVANIA.

Of the annual report of the Secretary of the Treasury for 1830, including also a portion of 1829, we have made the following analysis, comprising the principal facts detailed in that document, relating to the Commerce and Navigation of the United States, and of Pennsylvania.

## NAVIGATION.

TONNAGE of the United States on the 31st December, 1829.

Registered—Permanent,	526,812.54	
Temporary,	123,330.34	
		650,142.88
Enrolled and licensed—		
Permanent,	586,069.54	
Temporary,	2,287.42	
		588,356.96
Licensed—under 20 Tons.		
Coasting Trade,	18,390.05	
Cod fishery,	3,907.82	
		22,297.87
Total Tonnage,		\$1,260,797.71

Of the Registered Tonnage, 57,284.38 were employed in the whale fishery. Of the Enrolled and Licensed tonnage 490,468.05, are in the Coasting trade. 97,888.91 do Fisheries. 54,036.81 do Steamboat Navigation.

Aggregate Tonnage of New York, 261,704.33—of Boston, 144,523.06—of Pennsylvania, 77,728.72—of Baltimore, 45,509.22—of New Orleans, 44,751.04—of Portland, 44,622.34—of Charleston, 13,074.58.

The Tonnage of the United States, decreased during 1829, 480,594.06 tons: viz. in Registered, 162,476.44. Enrolled, 273,813.48. Licensed, 44,304.09.

## TONNAGE OF PENNSYLVANIA, Dec. 31, 1829.

## PHILADELPHIA.

Registered—Permanent,	45,587.15	
Temporary,	4,569.59	
		50,156.74
Enrolled and Licensed—Permanent,		26,889.21
Licensed under 20 tons—Coasting trade,		272.45
		77,318.40

Presque Isle—Reg. Per. 15.32  
Tem. 82.88

	98.20	
Enrolled & Licensed Permanent	332.12	
		410.32
Total Tonnage of Pennsylvania,		77,728.72

Of the enrolled and licensed tonnage, there were employed in the Coasting trade, 27,221.33—Steamboat navigation, 2,924.25.

## VESSELS BUILT in the United States in 1829.

137 Registered vessels,	28,876.74 tons.
666 Enrolled and Licensed do	48,221.86 do
803 Total tonnage built,	77,098.60

Of these, 44 were ships—68 brigs—485 schooners—163 sloops, and 43 steam-boats.

	Vessels.	Tonnage.
There were built in Massachusetts,	183	17,322.43
Maine,	140	14,658.62
Maryland,	129	11,044.26
New York,	60	7,799.36
New Jersey,	66	3,463.56
Virginia,	47	2,984.68
Pennsylvania,	24	4,598.28

Of these 24 built in Pennsylvania, 10 were registered vessels, viz. 4 ships, 6 brigs—tons 3,545.35, and 14 enrolled and licensed vessels, viz. 2 schooners, 6 sloops—tons 1,052.88. Total tonnage 4,598.28.

VESSELS BELONGING IN THE UNITED STATES—Dec. 31, 1829, and the number of seamen usually navigating the same.

	Registered.	Enrolled.	Under 20 tons.	Total.
Ships,	728	47	00	775
Brigs,	1,340	211	00	1,551
Schooners,	555	4,554	371	5,480
Sloops,	57	2,991	737	3,785
Steamboats,	12	237	00	269
Total,	2,692	8,060	1,108	11,860

Navigated by 61,672 seamen.

Vessels.	Seamen.	States.
Of these, 2,889	19,305 belong to	Massachusetts.
1,970	11,720	New York.
1,746	8,781	Maine.
741	1,780	New Jersey.
716	4,069	Pennsylvania.
730	2,961	Maryland.
532	1,453	Virginia.
378	1,306	N. Carolina.
534	2,068	Mississippi.
78	262	S. Carolina.
174	1,196	N. Hampshire.

Of those belonging to Pennsylvania, there were

	Registered.	Enrolled.	Under 20 tons.	Total.
Ships,	64	4	00	68
Brigs,	89	20	00	109
Schooners,	52	137	7	196
Sloops,	00	313	16	329
Steamboats,	00	14	00	14
	205	488	23	716

Navigated by 4,069 seamen.

During the year 1829, 148 vessels of the United States were LOST, viz.

	Registered.	Enrolled & licensed.	Total.
Ships,	10	00	10
Brigs,	36	5	41
Schooners,	25	41	66
Sloops,	8	23	31
	79	69	148

Vessels, 79—Tonnage 12,780—Vessels 96—Tonnage 4,912. Total tonnage lost 17,692.83.

Of these, 40 vessels belonged to Massachusetts, 14 to New York, 18 to New Jersey, 14 to North Carolina, 9 to Pennsylvania and 7 to Maryland.

Of the 9 vessels lost from Pennsylvania, 7 were registered, viz. 1 ship, 4 brigs, 2 schooners; and 1 schooner and 1 sloop were enrolled vessels. Total tonnage 1,422.28.

Desirous of ascertaining what proportion, the losses of vessels bore, to the whole tonnage of the United States, as well as to that of different states, we entered into the following calculations—the result of which is such as to lead us to suppose, either that there must be some deficiency of information, or that the returns are not made with the same care in every district, or that the whole number of vessels, may not be reported.—We know of no law, which requires a report of vessels lost at sea—which certainly ought to be the case, if the government pretends to keep a true record of the Tonnage belonging to the United States. A correct report of vessels lost or condemned, belonging to each district, within a given period, would be a valuable document to merchants, insurers and the government itself; and a knowledge of the different kinds of vessels, most liable to loss, might be the means of preserving many lives, by leading to the adoption of that construction, or kind of vessel, which, from experience, might be found the most safe. From inquiry at the Custom House here, we find, that it is their practice, when a vessel is not reported for a considerable length of time, to make inquiry of the owner, what has become of her? If she is said to have been lost, or condemned, she is of course, stricken from the list, and so returned to the department at Washington; in this way the Tonnage of the port is, from time to time corrected—and we observe by the tables, in the Treasury report for 1829, there is an allowance for corrections in the Tonnage of the United States, on previous statements of 514,451.86 tons. We therefore presume that the table which we have analysed, as vessels “lost during the year 1829,” does not include *all the vessels lost in that year*—but only those reported in that year to the government, and it probably also reports vessels lost in that year, which were really lost in some former years. The table showing the number of vessels *condemned*, is probably in part, subject to the same remarks, although not to the same extent—as our Consuls abroad are bound to report, the cases which come under their notice, or return the manifest to the government or the district to which the vessel belonged. If a vessel is lost or condemned, in one district, which belonged to another district, she is we understand, taken from the Tonnage of her proper district; so that we presume in the tables, the vessels stated to be lost or condemned, in any particular district, are the vessels, *bona fide* belonging to such district. In confirmation of these remarks, we will notice the results of two districts, viz. New York and Pennsylvania. The percentage of vessels lost in New York, during 1829, is only 00.49—while the percentage lost from Pennsylvania is 1.30. Now we can see no reason for this apparently great difference in favor of New York—as we presume, it is not to be found in the superior skill of the commanders of her vessels, over those of Pennsylvania, they being in all probability equally capable; nor can it be found in the superior quality of her vessels—as we suppose there cannot be much difference in favour of either, although by the table of condemned vessels, the superiority would appear to be as much in

favor of Pennsylvania, as the former calculation was against her. The percentage of vessels condemned in New York is 1.13, while of Pennsylvanian vessels it is only 0.21. We make these remarks not for the purpose of invidious comparison, but to show that somewhere, the information is defective, and that to render the reports of the Tonnage of the United States complete, well deserves the attention of the government, if such statements are to be made. We presume, a law requiring the owner of a vessel, when he receives information of her being lost or condemned, or supposed to be lost, from her not having reached her port, or been heard of within a given time, to report to the proper Custom House, would aid very much in correcting these statements.

The tonnage of vessels lost amounts to about 0.97 per cent. of the whole tonnage of the United States, at the close of 1828, with the addition of the tonnage of the vessels built in 1829.

	Per Cent.
The lost tonnage of N. Carolina amounts to	2.37
Connecticut,	1.64
New Jersey,	1.61
Rhode Island,	1.42
Pennsylvania,	1.30
New Hampshire,	1.20
Massachusetts,	1.16
Maine,	1.04
Virginia,	0.73
Maryland,	0.63
New York,	0.49
S. Carolina,	0.46

The number of vessels lost amounted to about 1 in every 77 of the whole number of vessels in the United States, as follows—

Ships lost are about 1 in 77 of the whole No. of ships.			
Brigs	do	1 in 38	do brigs.
Schooners	do	1 in 77	do schooners.
Sloops	do	1 in 120	do sloops.

113 vessels were *condemned* as UNSEAWORTHY during 1829—total tonnage 11,454.70, of which 27 vessels of 2,868 tons belong to Massachusetts—28 vessels or 4,117.01 tons to New York—35 vessels or 1,176.01 to N. Jersey—6 to Maine and only 1 to Pennsylvania, being a ship of 249.92 tons.

The number of vessels condemned as unseaworthy is about one in every 101, and the per centage on the tonnage is about 0.63 per cent. of the whole.

	Per Cent.
In New Hampshire amounted to	2.40 of the whole.
New Jersey,	2.25 do
Rhode Island,	1.83 do
New York,	1.13 do
South Carolina,	0.88 do
Massachusetts,	0.62 do
Connecticut,	0.31 do
Pennsylvania,	0.21 do
Virginia,	0.14 do
Maryland,	0.12 do
Maine,	0.25 do

The vessels condemned are about 1 in every 101 or 1 ship in every 43 of the whole number of ships.  
 1 brig 69 brigs.  
 1 schooner 285 schooners  
 1 sloop 120 sloops.

There were SOLD to FOREIGNERS in 1829, 94 vessels, viz. 14 ships, 35 brigs, 37 schooners and 8 sloops.—Total tonnage 14,093.22 tons, of which 1 ship, 4 brigs, 3 schooners, or 1,044.06 tons belonged to Pennsylvania—17 vessels to Massachusetts—23 to New York—22 to Maryland—7 to Florida—6 to Louisiana.

## 1830.

The total amount of Tonnage which entered and departed from the United States during the year ending September 1830 was as follows—

	Entered.	Departed.
American,	967,227	971,760
Foreign,	131,900	133,436

Tons,	1,099,127	Tons,	1,105,196
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Of the Foreign Tonnage entered there were of

British,	87,231	Tons.
French,	11,925	
Spanish,	12,299	
Portuguese,	137	
Dutch,	630	
Hanseatic,	9,653	
Swedish,	4,136	
Danish,	1,234	
Russian,	264	
Prussian,	287	
Haytien,	1,233	
Mexican,	2,718	
Columbian,	300	
Brazilian,	406	
Buenos Ayrean,	116	

Total number of tons entered, 131,900

Of the tonnage entered and departed in 1830—there was in the following districts.

	Entered.	Departed.
New York,	305,181	243,155 tons.
Boston,	113,328	93,408
Mississippi,	118,636	142,334
Philadelphia,	77,016	67,829 *
Baltimore,	61,121	58,252
Charleston,	72,541	72,436
Portland,	26,812	38,730
Savannah,	26,378	58,787
* And from Presque Isle,	-	63 tons,

The number of vessels (American,) and their tonnage and seamen employed (in repeated voyages) which entered, and departed from the principal districts, were as follows:

## TONNAGE.

	No. of Vessels.	Entered.	Dep'd.	No. Seamen.
New York,	1382	298,434	229,341	14,298
Massachusetts,	912	168,243	148,124	9,118
Maine,	535	69,363	91,629	2,949
Louisiana,	451	83,270	106,017	4,323
Pennsylvania,	365	72,009	63,022	3,907
N. Carolina,	235	27,757	36,592	1,482
Vermont,	121	29,741	19,290	871

S. Carolina,	115	50,859	52,464	927
Maryland,	90	55,317	55,020	908

The total from all the U. States, 4745 vessels employing 43,756 seamen, tonnage entered 967,227, departed 971,760.

During the year ending Dec. 31, 1830, there were registered in the U. States 6474 seamen, of whom were in

Massachusetts,	2769	New York,	1214
Maine,	561	Pennsylvania,	448
Maryland,	289	Rhode Island,	240
Virginia,	224	S. Carolina,	194
D. Columbia,	111	Connecticut,	97
Louisiana,	87	N. Hampshire,	68
N. Carolina,	68	Alabama,	64
Georgia,	28	Vermont,	11
N. Jersey,	1		

The amount of HOSPITAL MONEY collected during the year ending Sept. 30, 1830, was \$52,739 05, viz: from registered vessels \$28,796 38, and from enrolled and licensed vessels \$23,942 67.—Contributed by 60,388 seamen, of whom 37,989 were employed in registered vessels, and 22,399, in enrolled and licensed—of which there were collected

In N. York,	\$15,027 43	from 17,075 seamen.
Massachusetts,	11,460 11	do 12,955 do
Pennsylvania,	4,111 31	do 5,255 do
Maryland,	3,998 47	do 4,050 do
Maine,	3,856 40	do 5,551 do
Virginia,	2,220 73	do 2,216 do

Of that collected from Pennsylvania, \$2,934 97, were from registered vessels, and \$1176 34, were from enrolled and licensed vessels, contributed by 4082 seamen of registered, and 1173 seamen of enrolled and licensed vessels.

The number of vessels whose registers were surrendered, and enrollment and license taken for the coasting trade, in the year ending Sept. 30, 1830, was 696, tonnage 74,569 47, of which 6 belonged to Pennsylvania, tonnage 791 80.

During the same period, 697 enrolled and licensed vessels of the tonnage of 79,878, took registers for the foreign trade—of these 7 vessels of 923 tons, were of Pennsylvania.

The registers of 34 vessels, tonnage 3524, in the same time were changed in consequence of alteration in the form or construction of the vessels—of these, 3 belonged to Pennsylvania, tonnage 257.

New enrollments, and licences were issued for 41 vessels, tonnage 3897, on account of alterations in the vessels; 3 of these belonged to Pennsylvania.

New registers were issued for 873 vessels, tonnage 117,357, in consequence of change of owners; of these, 64 vessels or 13,534 tons belonged to Pennsylvania.

The enrollments and licences of 2,172 vessels, oftentimes 142,964, were changed in consequence of new owners; of these 78 vessels or 5033 tons belonged to Pennsylvania.



## COMMERCE.

IMPORTS into the United States during the year ending Sept. 30, 1830.

Merchandise free of duty,	\$12,746,245
Subject to ad valorem,	35,835,450
Specific,	22,295,225

Total Imports, - - - \$70,876,920

Of which \$66,035,739 were imported in American, and \$4,841,181 in foreign vessels.

Of the imports, there arrived

In New York,	35,624,070
Massachusetts,	10,453,544
Pennsylvania,	8,702,122
Louisiana,	7,599,083
Maryland,	4,523,866
S. Carolina,	1,054,619
Maine,	572,666

The imports from England were \$22,755,040, from all Great Britain and dependencies \$26,804,984; from France and dependencies \$8,240,885; Mexico \$5,235,241; Spain and dependencies \$8,373,681; China \$3,878,141; Brazil \$2,491,460; Denmark and dependencies \$1,671,218; Russia \$1,621,899; Argentine Republic \$1,431,883; Sweden and dependencies \$1,398,640; Netherlands and dependencies \$1,356,765; Colombia \$1,120,075; Portugal and dependencies \$471,643; Turkey, Levant and Egypt \$417,392; Ilanse Towns, &c. \$1,873,278; Hayti \$1,587,140; Cuba \$5,577,230.

During the same time there was imported, of Gold Bullion \$115,267; of Silver do. \$1,049,343; Specie Gold \$705,879; Silver \$6,283,475.—Total \$8,155,964.

There was imported of Raw Silk \$119,074.

Of Iron manufactured there were imported \$3,372,146, subject to ad. valorem; \$2,291,284 specific, among which were bar and bolt Iron hammered 68,752,943 pounds; rolled 138,981 lbs. nails and spikes 651,577 lbs. castings 1,157,256 lbs. sheet and hoop 2,326,796 lbs. pigs 22,499 lbs.

Of Wool unmanufactured 669,883 lbs. manufactures of wool \$5,332,379, do. of cotton \$7,862,326.

Of Coal 1,640,295 bushels.

Of Coffee 51,488,248 lbs. value \$4,227,021.

Of Tea 8,609,415 lbs. value 2,425,018.

Of Sugar, brown, 78,576,388 lbs. value \$3,985,865.

Distilled Spirits 1,692,344 gallons.

EXPORTS of foreign produce from the United States in the year ending Sept. 30, 1830.

Total value \$14,387,479, of which there were entitled to drawback \$11,377,046, not entitled to drawback \$3,010,433.

Exports of domestic produce.

Total value, \$59,462,029, viz: the produce of the	
Sea,	\$1,725,270
Forest,	4,192,047
Agriculture,	46,977,332
Manufacture,	5,910,903

Not enumerated.

Manufacture,	347,228
Others,	309,249
	656,477

\$59,462,029

Of the Exports there went, Of	foreign	domestic	The	Difference
	products,	products,	exports were and imports,	
To England,	826,946	23,773,020	greater by	\$10,637
British Amer. Colonies,	136,342	3,650,031	do	24,154
All G. B. and depend.	1,890,813	4,427,377	do	474,876
Spain and depend.	1,621,674	10,699,318	greater	731,955
France and depend.	1,106,920	35,461	less	
Russia and do.	381,113	734,033	less	
Sweden and depend.	227,676	1,764,314	greater	
Denmark and do.	249,771	3,737,319	do	
Netherlands and do.	823,118	1,549,732	do	
Ilanse Towns,	723,148	1,347,290	less	
China,	585,903	1,985,764	less	
Mexico,	3,851,694	1,600,999	less	
Brazil,	242,339	729,791	less	
Hayti,	108,387	660,495	less	
Cuba,	1,477,673		less	

There were exported of Gold Bullion,	\$10,637
Silver,	24,154
Of Specie Gold,	474,876
Do Silver,	731,955

Of gold and silver coin of American manufacture,	\$1,241,622
	937,151
Total export,	\$2,178,773

Among the items of domestic exports, were the following manufactures of cotton.

Of Printed and colored Piece goods,	\$61,800
White do.	964,196
Nankeen do.	1,093
Twist yarn and thread,	\$24,744
All other manufactures of cotton,	266,350—
	\$1,388,183

Of these \$546,020 went to Mexico; \$56,173 to China; \$81,332 to Brazil; \$13,016 to Colombia; \$249,980 to Chili; \$1852 to England! \$41,216 to Gibraltar! \$23,782 to the British East Indies! and \$6,743 to British American Colonies.

The export of Cotton was 8,147,165 lbs. of Sea Island, and 290,311,937 lbs. of other kinds. Total value \$29,674,883.

The export of Flour, was 1,227,434 barrels; value \$6,085,953, of which 325,120 barrels or \$1,538,617 went to England, and 149,966 bbls. or \$728,534 to British American Colonies; 196,736 bbls. or \$1,042,853 to Brazil; 127,227 bbls or \$594,209 to Danish West Indies: Cuba 77,598 bbls. or \$367,379.

The exports of Iron:

Castings,	\$35,408
Manufactures of Iron and Steel,	117,876
58 tons bar and pig, and 1,551,019 lbs. nails,	96,189

\$309,473

Of Tobacco there were exported 83,810 hhds. of \$5,576,365; of manufactured Tobacco and Snuff 3,228,556 lbs. or \$246,747.

The total value of exports of foreign and domestic produce, was \$73,849,508, of which,

New York Exported	-	\$19,697,983
Louisiana, do	-	15,488,692
Massachusetts; do	-	7,213,194
S. Carolina, do	-	7,627,031
Georgia, do	-	5,336,626
Virginia, do	-	4,791,644
Pennsylvania, do	-	4,291,793
Maryland, do	-	3,791,482
Alabama, do	-	2,294,394

Foreign produce, -	14,387,479
Domestic do. -	59,462,029

Total value of exports,	73,849,508
Imports, -	70,876,920

Excess of exports,	\$2,972,588
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### THE QUAKER OBJECTIONS TO WAR.

*The testimony of the people called Quakers. Given forth by a Meeting of the Representatives of said people, in Pennsylvania and New Jersey, held at Philadelphia, the 24th day of the First Month 1775.*

Having considered with real sorrow, the unhappy contest between the legi-lature of Great Britain and the people of these colonies and the animosities consequent thereon; we have, by repeated public advices and private admonitions, used our endeavours to dissuade the members of our religious society from joining with the public resolutions, promoted and entered into by some of the people, which, as we apprehended, so we now find, have increased contention, and produced great discord and confusion.

The Divine Principle of Grace and Truth which we profess, leads all who attend to its dictates, to demean themselves as peaceable subjects, and to discountenance and avoid every measure tending to excite disaffection to the King, as supreme magistrate, or to the legal authority of his government; to which purpose many of the late political writings and addresses to the people appearing to be calculated, we are led by a sense of duty to declare our entire disapprobation of them—their spirit and temper being not only contrary to the nature and precepts of the gospel, but destructive of the peace and harmony of civil society, disqualifies men in these times of difficulty, for the wise and judicious consideration and promoting of such measures as would be most effectual for reconciling differences, or obtaining the redress of grievances.

From our past experience of the clemency of the King and his royal ancestors, we have grounds to hope and believe, that decent and respectful addresses from those who are vested with legal authority, representing the prevailing dissatisfactions and the cause of them, would avail towards obtaining relief, ascertaining and establishing the just rights of the people, and restoring the public tranquility: and we deeply lament that contrary modes of proceeding have been pursued, which have involved the colonies in confusion, appear likely to produce violence and bloodshed, and threaten the subversion of the constitutional government, and of that liberty of conscience, for the enjoyment of which, our ancestors were induced to encounter the manifold dangers and difficulties of crossing the seas, and of settling in the wilderness.

We are, therefore, incited by a sincere concern for the peace and welfare of our country, publicly to de-

clare against every usurpation of power and authority, in opposition to the laws and government; and against all combinations, insurrections, conspiracies, and illegal assemblies; and as we are restrained from them by the conscientious discharge of our duty to Almighty God, "by whom Kings reign, and Princes decree justice," we hope, through his assistance and favour, to be enabled to maintain our testimony against any requisitions which may be made of us, inconsistent with our religious principles, and the fidelity we owe to the King and his government, as by law established; earnestly desiring the restoration of that harmony and concord which have heretofore united the people of these provinces, and been attended by the divine blessing on their labours.

Signed in, and on behalf of the said meeting,  
JAMES PEMBERTON,  
Clerk at this time.

*The ancient testimony and principles of the people called Quakers, renewed, with respect to the King and Government; and touching the commotions now prevailing in these and other parts of America: addressed to the people in general.*

A religious concern for our friends and fellow subjects of every denomination, and more especially for those of all ranks, who, in the present commotions, are engaged in public employments and stations, induces us earnestly to beseech every individual in the most solemn manner, to consider the end and tendency of the measures they are promoting; and on the most impartial enquiry into the state of their minds, carefully to examine whether they are acting in the fear of God, and in conformity to the precepts and doctrine of our Lord Jesus Christ, whom we profess to believe in, and that by him alone we expect to be saved from our sins.

The calamities and afflictions which now surround us, should, as we apprehend, affect every mind with the most awful considerations of the dispensations of Divine Providence to mankind in general in former ages; and that as the sins and iniquities of the people subjected them to grievous sufferings, the same causes still produce the like effects.

The inhabitants of these provinces were long signally favoured with peace and plenty: Have the returns of true thankfulness been generally manifest? Have integrity and godly simplicity been maintained, and religiously regarded? Hath a religious care to do justly, love mercy, and walk humbly been evident? Hath the precept of Christ, to do unto others as we would they should do unto us, been the governing rule of our conduct? Hath an upright impartial desire to prevent the slavery and oppression of our fellow-men, and to restore them to their natural right, to true Christian liberty, been cherished and encouraged? Or have pride, wantonness, luxury, profaneness, a partial spirit, and forgetfulness of the goodness and mercies of God, become lamentably prevalent? Have we not, therefore, abundant occasion to break off our sins by righteousness, and our iniquities by shewing mercy to the poor; and with true contrition and abasement of soul, to humble ourselves, and supplicate the Almighty Preserver of men, to shew favour, and to renew unto us a state of tranquillity and peace? Mat. vii. 12. Daniel iv. 27.

It is our fervent desire that this may soon appear to be the pious resolution of the people in general, of all ranks and denominations: then may we have a well grounded hope, that wisdom from above, which is pure, peaceable, and full of mercy and good fruits, will preside and govern in the deliberations of those who, in these perilous times, undertake the transaction of the most important public affairs; and that by their steady care and endeavours, constantly to act under the influences of this wisdom, those of inferior stations will be

incited diligently to pursue those measures which make for peace, and tend to the reconciliation of contending parties, on principles dictated by the spirit of Christ, who 'came not to destroy men's lives, but to save them.' Luke ix. 56. James iii. 17.

We are so fully assured that these principles are the most certain and effectual means of preventing the extreme misery and desolations of wars and bloodshed, that we are constrained to treat all those who profess faith in Christ, to manifest that they really believe in him, and desire to obtain the blessings he pronounced to the makers of peace. Mat. v. 9.

His spirit ever leads to seek and improve every opportunity of promoting peace and reconciliation; and constantly to remember, that as we really confide in him, he can, in his own time, change the hearts of all men in such manner, that the way to obtain it hath been often opened, contrary to every human prospect or expectation. Ex. xii. 29 and 41. xiv. 30. 2 Kings vi. 17. vii. 6. Esther iii. to vii. Isa. xxxvii. 36.

May we, therefore, heartily and sincerely unite in supplications to the Father of mercies, to grant the plentiful effusions of his Spirit to all, and in an especial manner to those in superior stations, that they may, with sincerity, guard against and reject all such measures and councils, as may increase and perpetuate the discord, animosities, and unhappy contentions which now sorrowfully abound.

We cannot but, with distressed minds, beseech all such, in the most solemn and awful manner, to consider that, if by their acting and persisting in a proud, selfish spirit, and not regarding the dictates of true wisdom, such measures are pursued as tend to the shedding of innocent blood; in the day when they and all men shall appear at the judgment seat of Christ, to receive a reward according to their works, they will be excluded from his favour, and their portion will be in everlasting misery. See Mat. xxv. 41. 2 Cor. v. 10.

The peculiar evidence of divine regard manifested to our ancestors, in the founding and settlement of these provinces, we have often commemorated, and desire ever to remember, with true thankfulness and reverent admiration.

When we consider, that at the time they were persecuted and subjected to severe sufferings, as a people unworthy the benefits of religious or civil society, the hearts of the king and rulers, under whom they thus suffered, were inclined to grant them these fruitful countries, and entrust them with charters of very extensive powers and privileges.—That on their arrival here, the minds of the natives were inclined to receive them with great hospitality and friendship, and to cede to them the most valuable part of their land on very easy terms.—That while the principles of justice and mercy continued to preside, they were preserved in tranquillity and peace, free from the desolating calamities of war; and their endeavours were wonderfully blessed and prospered; so that the saying of the wisest of kings was signally verified to them, "When a man's ways please the Lord, he maketh even his enemies to be at peace with him." Prov. xvi. 7.

The benefits, advantages, and favour, we have experienced by our dependence on, and connection with the kings and government, under which we have enjoyed this happy state, appear to demand from us the greatest circumspection, care, and constant endeavors, to guard against every attempt to alter, or subvert that dependence and connection.

The scenes lately presented to our view, and the prospect before us, we are sensible, are very distressing and discouraging. And though we lament that such amicable measures, as have been proposed, both here and in England, for the adjustment of the unhappy contests subsisting, have not yet been effectual; nevertheless, we should rejoice to observe the continuance of mutual peaceable endeavours for effecting a reconcilia-

tion; having ground to hope that the divine favour and blessing will attend them.

"It hath ever been our judgment and principle, since we were called to profess the light of Christ Jesus, manifested in our consciences, unto this day, that the setting up, and putting down kings and governments, is God's peculiar prerogative; for causes best known to himself, and that it is not our business to have any hand or contrivance therein; nor to be busybodies above our station, much less to plot and contrive the ruin, or overturn any of them; but to pray for the king, and safety of our nation, and good of all men: that we may lead a peaceable and quiet life, in all godliness and honesty, under the government which God is pleased to set over us." Ancient Testimony, 1696, in SEWELL'S History.

May we therefore firmly unite in the abhorrence of all such writings and measures, as evidence a desire and design to break off the happy connection we have heretofore enjoyed with the kingdom of Great Britain, and our just and necessary subordination to the king, and those who are lawfully placed in authority under him; that thus the repeated solemn declarations made on this subject, in the addresses sent to the king on behalf of the people of America in general, may be confirmed, and remain to be our firm and sincere intentions to observe and fulfil.

Signed in and on behalf of a meeting of the Representatives of our religious Society, in Pennsylvania and New Jersey, held in Philadelphia, the 20th day of the first month 1776.

JOHN PEMBERTON, Clerk.

<i>Dividends for the last six months.</i>	<i>Per cent.</i>
Mechanics' Bank,	4½
Farmers' and Mechanics' do	4
Kensington do.	5
Southwark do.	5
Commercial do.	3½
Schuykill M. do.	4
Penn Township do.	4
Farmers' do., Bucks County,	4
Northern Liberties do.	5
Germantown and Perkiomen Turnpike,	1½
Frankford and Bristol do.	1½
Cheltenham and Willow Grove do.	3
Columbia Bridge,	\$3 50 per share
West Chester Rail Road,	\$5 do
Bank of Germantown,	4

## THE REGISTER.

NOVEMBER 26, 1831.

We publish this week two Quaker Proclamations, as documents of some importance in explaining the grounds upon which the society of Friends abstained from engaging in the war of the revolution. One of these Proclamations, signed by James Pemberton as clerk, was issued by a meeting, held at Philadelphia in 1775, and the other in the following year. They confirm the conclusive defence of that sect by Mr. Tyson, in his late Discourse before the Pennsylvania Historical Society, published in this paper the week before last. We take the liberty of recommending to our readers, to compare the luminous view taken by Mr. Tyson in the text and appendix, with the actual reasons avowed in these documents for the neutrality of Friends. The censure which has been cast upon their motives for not taking part in the revolutionary war, being there proved to be unfounded, we hope the historian of that era will do justice to them.



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 23. PHILADELPHIA, DECEMBER 3, 1831. NO. 205.

FROM THE NATIONAL GAZETTE.

## BANK OF THE UNITED STATES.

The publication which we recently made, of the opinion of the Circuit Court of Pennsylvania, establishing the perfect legality of Branch drafts of the Bank of the United States, and the power of the Courts to punish counterfeiters of them, has led us to enquire into the nature of those drafts, which we have now the means of explaining to the entire satisfaction, we are sure, of all the community.

It appears that there was a doubt whether under the charter, bank notes, properly so called, ought to be issued by the Bank without the signature of the President and Cashier. The right of the Bank to issue notes not signed by these officers, that is, the right of binding itself to pay money by notes signed by any persons duly authorized to sign them, could not be questioned, but then there was danger that a rigid construction of the clause against counterfeiting would not apply to such notes, and they might perhaps be counterfeited with impunity. Their issue, therefore, though legal, might be attended with some danger to the community. On the other hand, to confine the issues of the Bank to notes signed by the President and Cashier, would be to defeat the main purpose for which the institution was created—the supply of an adequate circulating medium. This may be easily seen. The presiding officer of a Bank with twenty-five branches, who is at the same time Commissioner of Loans and Pension Agent, finds in his own appropriate duties of supervision, daily employment sufficient to occupy and exhaust the most active mind and robust frame. To these duties is added the mechanical labor of signing his name to some millions of notes. The total amount of notes in circulation is about eighteen or nineteen millions of dollars. The wear and tear of these is so great in such an extensive field of circulation, that many millions become constantly unfit for further use and are cancelled. From time to time, too, a particular plate is counterfeited; and then the whole impression must be withdrawn, and a new emission made from a new plate.

All this was to be done by a single individual after his more urgent daily duties were finished. It became, therefore, physically impossible to supply the circulation. For instance, the circulation is about 19 millions. If this officer were to sign 500 notes a day—a large allowance considering his other duties—for every day in the year including Sundays, it would take him nearly six years to sign five millions of dollars in five dollar notes, and before he reached the end of the five millions, the first three millions would be worn out and require renewal. This, moreover, would be wholly useless if it were possible. There is no more security against counterfeiting in one man's name than in another; and there is great insecurity in this practice, because if counterfeiters succeed in imitating a particular note, it is impossible to withdraw it from circulation, because the individual cannot sign notes fast enough to replace those which have been counterfeited. The security is not in the name, for almost any counterfeiter can copy any name with sufficient accuracy to deceive the general observers who compose the community. The real

security is in the excellence of the workmanship, so that few artists can imitate it—and then in the diligent pursuit and punishment of the counterfeiters. Accordingly, no considerable Bank in Europe requires its notes to be signed by the chief officers. The Bank of England had, for its one pound bank notes alone, no less than one hundred and thirty signers.

Finding it impossible to accomplish the object of its creation, the Directors of the Bank stated the difficulty to Congress—and in the year 1823 a committee recommended the passage of a law to authorize the signature by other officers. But no bill was ever introduced, nor was the report called up or acted upon in any way.

The subject was again presented in 1827, but never went beyond the committee room. The Bank having done all its duty by submitting the difficulty to Congress, then had to decide whether the business of the country should be suffered to stagnate, and itself become abortive, or whether it could find an efficient remedy for this defect among its other powers. This was readily found. The 18th section against counterfeiters embraces the case of counterfeiting “any order or check on the said Bank or Corporation or any Cashier thereof.” The checks from the Branches on the Parent Bank are then protected against forgery, and as each Branch would thus supply what was wanted by the community in its neighbourhood, the necessary amount would in this way be furnished, of paper which could not be counterfeited. Many of the Branches are therefore authorized, in case their customers want paper of a small denomination, to give them these small drafts. This is confined to the smaller circulation, for all the notes of a large denomination continued to be signed exclusively by the President and Cashier of the Parent Bank. The advantages of these drafts are, first,—that in this way the community can obtain what they can obtain in no other way, a small circulation universally receivable throughout the U. States; second, that the party who asks for them—and none are of course given but to those who ask—generally knows the signatures of the officers of the Branches better than he does those of the Parent Bank, and can more easily change and renew them; and third—that they are as legal and safe, and the forgery of them as punishable, as if they were signed by the President of the Bank himself.

This course seemed to be a very obvious mode of repairing the defect. But least, by any possibility, there might be an objection to it, the plan was submitted to three of the most eminent jurists in the Union, Mr. Binney, Mr. Webster, and Mr. Wirt, the Attorney General, who saw no difficulty in it, and recommended its adoption. Their opinion closes in this way.

“I am unable to discover any legal objection to the plan proposed; and since it will facilitate the exchanges of the country, and secure the Public and the Bank from frauds, it seems to me as expedient as it is lawful.”

(Signed)

HOB. BINNEY.

“I concur entirely in this opinion.”

(Signed)

DANL. WEBSTER.

“I can see no possible legal objection to the practice above stated, and concur entirely in the opinion.”

(Signed)

WM. WIRT.

It was afterwards explained to the Secretary of the Treasury, who had no hesitation in assenting to it. The following is a copy of his letter to the President of the Bank, dated Treasury Department, January 21, 1828.

"I have had the honor to receive your letter of the 10th inst. with its inclosures. As you state that the amount of any of the drafts to which it refers, which may be received on account of the United States, will be paid in the same manner as notes signed by the President and Cashier of the Bank, I have felt no hesitation in directing that such drafts be taken in payments to the United States. The specimens which accompanied your letter are herewith enclosed.

"I have the honor to remain very respectfully your obedient servant,

(Signed)

R. ROSS."

Under these sanctions, the Bank has continued for years to issue these drafts, to the great convenience of the community. It remained only that some case should occur to present the matter to the cognizance of the judiciary. This was done in the recent trial of Shelmire, where the Court recognized at once the legality of these drafts, and the counterfeiter of them was duly convicted. Judge Baldwin, in delivering the opinion of the Court, said—

"There is no pretence that there is any express or implied prohibition making them unlawful." And again: "It is in our opinion no answer to these views that the law has not expressly authorised the officers of the Branches to draw on the Bank. It is enough for this point that they are not prohibited from doing so. It is an act indispensable to the transaction of their ordinary business in order to meet the wants of the public and others."—Again: "It is a matter of mutual convenience, whether the old debt or duty shall be extinguished by payment or taking paper, whether in the promissory notes of the Bank, or orders or checks drawn upon it. They may be in large drafts or orders for remittance, or small ones for currency or circulation, and in any form, with or without ornaments, devices or marks."—And again: "We are bound to declare them to be within the words, spirit and meaning of the law, equally with the notes of the Bank, or the checks or orders of individuals."

The result of the whole affair is simply this: The Bank finding it impossible to furnish the necessary amount of currency, so long as all its notes were signed by one single person, sought some other mode of accomplishing the object. They might have employed other persons to sign the notes for the President and Cashier, but then perhaps the forgery of them might not be punished. The power of punishing for forged drafts was certain. Accordingly, instead of notes, drafts were substituted. These drafts were advised by eminent lawyers—agreed to by the Treasury Department—and sanctioned by the Courts. They furnish a sound and universal circulating medium not otherwise obtainable, and the highest praise which can be bestowed on them is the very complaint of the person who has most objected to them:—"Circulating," says he, "as notes, and considered every where equal to gold and silver (because they are voluntarily cashed at every Branch, and erroneously received at every Land Office and Custom House) they have given to the Bank its apparent prosperity." This seems to be the very model of a currency, containing all that the community could desire; and we think that the Bank should be rather applauded than reproached for affording so great and substantial a benefit to the country.

"We are told that Mr. Garrett of New-Garden, has one acre of grape vines, now three years old; that, by the advice of friends he took the fruit to Philadelphia, instead of making wine; that they were fine, attracted much attention and sold readily; and that, from the vineyard of an acre he realized about 200 dollars.—The grapes sold at from 12 to 25 cents a pound."

#### ADDRESS OF THE

#### FRIENDS OF DOMESTIC INDUSTRY.

*Assembled in Convention at New York, Oct. 26, 1831,*

TO THE

PEOPLE OF THE UNITED STATES.

[Continued from page 342.]

You are next invited to examine the subject in its connexion with the principles of an enlightened political economy. The system which we maintain rests upon the following principles:—

All the means of human enjoyment, and all the accumulations of wealth, are the product of human labor. National happiness and national wealth are, therefore, promoted in proportion to the active industry of the community; and that industry is in proportion to the inducements to labor, arising from the amount and certainty of its remuneration. The immediate instrument for calling labor into action is capital. Capital is necessary to furnish the laborer with the means of applying his labor to advantage, whether in the simple tools of agriculture and some of the mechanic arts, or in the complicated and extensive machinery, applied to certain branches of manufacture, the moderate improvements in which have added so much to the productive power of man.

It is a settled axiom, that the industry of a nation is in proportion to the capital devoted to its maintenance. It is, therefore, thought to be a wise policy to multiply the inducements to apply capital to employment of the labor at home, rather than to the purchase abroad and traffic in commodities of foreign production, by which the capital of the country is made to set in motion foreign labor. This is founded on the principle, universally admitted, that there is in every nation, a power or capability of labor beyond that actually put forth; and that its effective industry is proportioned to the stimulus applied in the shape of capital. This constitutes the American System. It invites the application of American capital to stimulate American industry. It imposes a restriction, in the form of an impost duty, on certain products of foreign labor; but so far as relates to American capital, or American labor, it simply offers security and inducement to the one, and gives energy and vigor to the other. The purpose of the protective system being thus directed to the utmost expansion of the industry of the nation into every channel of domestic competition, it would seem to be manifestly erroneous to call such a system *restrictive*, inasmuch as the avenues of labor in the internal organization of any community are much more numerous and extensive, than those which belong to foreign trade: whilst on the other hand, there are no restrictions so severe upon the occupation of our citizens, and none that so irresistibly impel labor into so small a number of channels as those that are created by the capital and industry of older nations, when concentrated and brought into competition with the capital and industry of a young people, in their first attempts to possess themselves of the arts that create and accumulate wealth. A nation that is devoted to agriculture only, and is dependent upon foreign labor for its manufactures, presents the spectacle of a people whose industry is confined to the single occupation of cultivating the soil, and transporting its products abroad, and is always subject to be disturbed by the policy of those on whom it depends for the purchase of its products; but the same nation, when encouraged in the attempt to supply itself with manufactured fabrics, releases its labor from the restraints of its previous straitened condition, and is seen rapidly diversifying its pursuits until they finally cover the whole space that was originally divided between itself and the people that supplied it with the manufactures.

It is true, that a different system of political economy is maintained by a certain school of theoretical writers.

It is contended by them, that restriction upon the importation of foreign commodities, under any circumstances, is a mistaken economy;—that foreign manufacturers should be allowed freely to bring in their wares, although they will receive from us nothing in exchange, but the precious metals. This is the system, which has been lately called enlightened. We, on the contrary, believe it to be founded on mistaken views: and that a practical application of it would paralyze the industry of the country. The fundamental principle in this system, is one which we deem totally erroneous. It considers the profits of capital, as constituting the only source of national wealth. It assumes the fact, that the wages of labor are barely sufficient to support the laborer, but leave him nothing for accumulation. Now, whether this may or may not be true, in the fully peopled countries of Europe, it is palpable to the slightest observation, that in reference to labor in the United States, it is absolutely and totally false. Such is the abundance of the means of subsistence in this favored country, that the laborer is able to accumulate capital out of his surplus earnings. We every where see capital accumulating in connexion with labor. Labor is not with us, as the theory supposes, the mere instrument of capital, the mere hand-maid to furnish the profits of the capitalists: it is, on the contrary, an intelligent, active principle—the partner and the sharer in the increase of wealth, produced by the united action of both. We have no class in America corresponding with the operatives—the human machines of Europe. We, therefore, totally deny the correctness of the position, that “the question relates exclusively to the application of capital.” We deny, that “the power of government is limited to its transfer from one employment to another.” By increasing the stimulus to labor, resulting from the application of capital, to home production, additional capital *can* “be generated by an act of legislation.” It is said, that this system “oppresses the many for the benefit of the few.” We, on the contrary, believe, that whilst it benefits all, its highest recommendation is found in its beneficial action upon the many—the laboring classes, the working men. If there is any one principle in political economy, which is perfectly well established, it is, that the profits of capital employed in any one branch of industry, cannot for any length of time, exceed the average rate in other employments, it being the constant tendency of free competition to equalize profits. It is, therefore, an argument altogether fallacious to suppose, that this system favors capital devoted to one branch of business more than that devoted to another; or benefits any one class of individuals, to the prejudice or exclusion of others.

It is also said, that “it is equally untrue that such a system gives greater employment to labor.”

We dissent from this doctrine, and are fortified by the opinion of the author of “The Wealth of Nations,” whose language we think it is useful to quote: “The capital of the manufacturer,” says this writer, “puts immediately into motion a much greater quantity of productive labor, and adds a much greater value to the land and labor of the society, than an equal capital in the hands of any wholesale merchant.”—“After agriculture, the capital employed in manufactures, puts into motion the greatest quantity of productive labor, and adds the greatest value to the annual produce. That which is employed in the trade of exportation has the least effect of any of the three.” “The capital employed in the home trade of any country, will generally give encouragement and support to a greater quantity of productive labor in that country, and increase the value of its produce, more than an equal capital employed in foreign trade of consumption, and the capital employed in this latter trade has, in both these respects, a still greater advantage over an equal capital employed in the carrying trade.” “That part of the capital of any country, which is employed in the carrying trade, is altogether withdrawn from supporting the productive la-

bor of that particular country, to support that of foreign countries.”

In accordance with these positions, we maintain the efficiency of labor, to add to the power and riches of a country, against the theories of later writers who attribute every thing to capital. In fact, we consider it the most important and valuable feature in our system, that it tends directly to increase the effective power and remuneration of labor, thus multiplying the means, the comforts and enjoyments, of the laboring classes, and raising them in the scale of civilization and social life. This political effect on the character of society, may be considered its highest recommendation. It is thus made to give strength and permanency to our free institutions.

The peculiar advantage of the United States consists in the abundance, and cheapness of fertile lands, affording an easy subsistence and high remuneration to labor. We consider the system of establishing manufactures, and the arts amongst us, as distributing and equalizing these peculiar advantages, through all the departments of industry, and through all classes of society.

This effect, we believe, to be deducible from the system, according to the most approved principles of political economy. But we consider all speculations on this subject, founded on the ultimate tendencies of human action, and the averages of contending principle, as very uncertain guides in legislation, compared to the surer test of experience, and those practical results which are obvious to the senses.

Mistaken and preposterous assumptions of the merits of what is called Free Trade, have under the active delusion of British influence, afforded pretexes latterly to the opponents of the protective system, which it is proper to dispel. It is not long since no one believed in the power of propelling boats by steam, and every one believed that the British debt was to be paid off by the sinking fund;—similar mistakes exist as to Free Trade:—As a municipal principle, there is no question of the great advantages of Free Trade. The United States, in their coasting trade and domestic exchanges, afford the most striking illustrations of them ever witnessed—but, as between foreign nations, there is no free trade—there never was—there never can be—It would contravene the arrangements of Providence, which distribute mankind into different communities; separated originally by confusion of tongues; and prevented from all rushing together into the most favored latitudes, by local attachments, and foreign antipathies, which are the germs of national preservation, by means of national emulation.

Much of the suffering which it is alleged is felt in certain portions of the United States, (if their complaints have, in fact, any foundation,) is to be attributed to the very circumstance that they are placed in the circle of twenty-four commonwealths, enjoying the most complete freedom of trade, the operation of which has been to expose those who have not the inclination to employ their labor to the full extent of its capacity, to the severe rivalry of more industrious and thrifty communities, living under the protection of the same general government.

Nations are adversary to each other; their commercial intercourse is regulated by treaties always made with a view to relative advantages, and to provide for those hostilities which are of perpetual recurrence. The vexatious provincial tariffs which formerly fettered intercourse and almost destroyed traffic, in the interior of nations, suggested the idea of that free trade, which has since been misunderstood and egregiously misapplied, by mere speculative writers. The tariff acts, which even now impose duties on the wines of Spain, at provincial borders, and on those of France at city gates, are grievances, for which free trade is a happy substitute—but the principle is entirely municipal and in no respect applicable, without disadvantage to independent nations. The vessels of the United States are naviga-



ted with fewer hands, and make their voyages in shorter periods, than others;—hence, what is called the reciprocity principle, originating in the first treaty between the United States and France, has been wisely proffered by the United States to many other nations, because it is supposed that our navigation would supplant theirs. But the artificial systems of England, France, Spain, and the other nations, with which the United States have most intercourse, render it extremely improbable, that any approximation to the footing of free trade, should ever be arranged between them, even by treaty. For us to attempt while they reject it, would be a complete surrender of ourselves as a voluntary sacrifice to the policy and cupidity of foreign governments; to create a government for the benefit of others and not for ourselves. A tariff of duties on commerce between New York and New Jersey, would be as injurious, as unconstitutional. Free trade between these states, and among all the states of the Union, is the main spring of general welfare;—and one of the strongest links of the chain that connects them; but free trade between New York and Liverpool, would ruin the farmers of England through our superabundant bread stuffs, and the manufacturers of the United States, by the superior capital and proficiency of England in manufactures, and the degraded state of the operatives. An unrestricted intercourse between two nations, reduces the labor of one to the same scale of compensation with the labor of the other; and such a consequence is certainly to be deprecated by the nation, whose labor stood highest on the scale. This consideration forms a striking argument against the policy of such a system, between foreign states. While, on the other hand, it is no less desirable that, amongst the separate communities associated under the same government, this reduction of the higher labor, to the scale of the lower should take place, inasmuch as the interests of these domestic communities are equally the objects of the protection and solicitude of their common governors.

The freest of free trade is, after all, but a chartered libertine. The United States could not share their coasting trade with England, without disadvantage:—the most extravagant advocates of free trade (it is believed) have never yet dreamed of sharing our river trade with foreigners. To throw open the Ohio and Mississippi, the Hudson and the Delaware, to British, French, and Dutch navigation, would be of no advantage to our own. England could not open her maritime coal trade, the great nursery of her seamen, to the enterprise of New England, without losing at least one half of it. She even refuses us a passage through the St. Lawrence, although we own part of that river. The greatest commercial nations of the middle ages, the Hanseatic League, and Holland, the maritime wonder of the world, became such by the exclusive enjoyment of the fisheries, and the trade to India and other monopolies, which they maintained at the charge of long and bloody wars. England struck the vital blow at Holland, not so much by naval victories, as by her navigation act. The commercial and the military marine of the United States, have risen to eminence upon similar interdiction. With free trade, we should have neither the one nor the other, but be a poor, dependent, pastoral people. It is only about ten years since the project for reducing the duties, was first suggested in England, in a petition to parliament, from the merchants and traders of London. In 1815, some slight and cautious reductions were accordingly made, but in nothing to effect the commercial monopoly and maritime ascendancy of Great Britain. Her colonial commerce is mostly exclusive. The freedom of the trade of the Susquehanna river is now in dispute between the states of Maryland, Pennsylvania and New York. So intractable is free trade in fact, while fruitful of speculation. Within a few years Russia, misled by this delusion, and Holland, under the influence of England, made experiments of free trade, which Russia soon found intolerable

and abandoned, and which has contributed to reducing Holland from once being the richest nation of Europe, to being one of the most impoverished and indebted. In fine, the dogmas of free trade, which are said to be taught in some colleges, may serve to inflame youthful imaginations, but, as they have never actuated a practical statesman, they can never mislead any well informed mind. What is called the American System, is the system of Europe; it is the universal system—and (if the experience and common sense of mankind be any standard of right) is the true and only system of intercourse among nations.

It is doubtless true, that during the last half century, a more enlightened philosophy has been applied to the affairs of mankind; that political economy is much better understood, its principles more fully developed, and more judiciously applied. The sense and experience of men, hath gone far to correct the erroneous legislation of former times; and to develop and multiply the true sources of national wealth. But the modern theory is not content with the attainment of practical benefits merely; it seeks, by an unqualified application of certain general principles, to produce a thorough revolution in the business of men, and the relations of nations. It is against these extremes, of visionary good and practical mischief, that we desire all men of sober judgment to make a stand. We ask them to look at the present condition of our country, and to examine the operation of the present system upon all its great interests. Above all, we ask them to look at the practice of all foreign nations, rather than the speculations of their writers. They will then find that those who have taught us this theory of free trade, are too wise to practice it; that they continue to act, and to legislate upon the system of protecting their own industry, though some of their writers and orators, recommend to all other nations to abandon it.

A reference to our own experience is, however, the best criterion by which to test the correctness of the system which we support. It is not new; the principle was applied, as we have already stated, to our navigation, from the establishment of the Federal constitution, prohibiting foreign shipping from the coasting trade altogether, and imposing a high discriminating duty on foreign tonnage. If this discrimination has been abandoned, in respect to those nations who would consent to a system of reciprocity, it involves no surrender of the principle. Trade can only be carried on between nations by mutual agreement; and mutual protection leads to reciprocity, as the only equitable arrangement. The mechanic arts have also been the subject of protection from the establishment of the government; and it cannot be doubted that to this circumstance they owe, in a great measure, their success; a success which has made the mechanics of the United States one of the main pillars of our national strength. Agriculture has likewise had a full share of the benefit of this protection; and in truth it may be said, that as our government commenced its career with the establishment of the germs of the protective system, so it has continued ever since, gradually nurturing and invigorating them, until they have reached their present growth. Some interruptions have occurred in the march of this policy, but these interruptions owe their origin to accidental circumstances, which dictated the necessity of relaxing the system for the benefit of other interests, that were more immediately concerned in availing themselves of the advantages of foreign trade. These, however, are to be regarded not as proofs of the usefulness of the system, but as exceptions growing out of the pressure of temporary accidents. The events that followed the French revolution gave a new and unexpected direction to the enterprise of our citizens. The disturbed state of the continent of Europe, and the prevalence of universal wars throughout the nations of that quarter of the globe, placed the United States in the position of the only neutral, amongst many belligerents, and so ob-

viously opened the way to commercial wealth to our citizens, that all other interests sank into insignificance compared with those which were concerned in pushing a foreign commerce into every region, where the strife of the contending parties excluded the competition of the belligerents themselves, and left to the United States, the undisputed monopoly of the trade. To this fortunate conjuncture of circumstances, is to be ascribed the most rapid growth that has ever been traced in the history of any empire. The United States not only became the medium of the commerce of the world, but their peaceful position attracted the emigration of all those who had the means and the wish to escape European troubles.

Amongst the advantages that have resulted to us from this state of things, we have suffered one evil, the effect of which is not obliterated, even at this day. Accustomed for twelve or fourteen years to commercial speculations of unparalleled activity and success, we were taught to think that our national prosperity was inseparably connected with the prosecution of that kind of trade in which our citizens had been engaged, and we were thus insensibly educated in the opinion that the great interests of our commonwealth, would be always concerned with a foreign commerce exclusively employed in transporting abroad, the products of our agriculture, and receiving returns in the manufactured commodities of other nations.

There was another circumstance that gave great authority to this delusion. The cotton manufacture of Great Britain was rapidly arising into the greatest activity and vigor. It was in process of time discovered that the raw material for this manufacture could be produced in the United States, under more favorable circumstances, than in any other part of the world. At first, but two or three of our states were employed in the cultivation, and the demand from England was even greater than the supply. The profits of this cultivation, therefore, were almost unlimited. The portions of territory employed in the growing of cotton were small, and the common opinion was, that but few districts, in comparison with the great extent of our surface, could be appropriated to the culture. In the meantime, the cotton fabrics were diffused over Europe, and took the place of large quantities of those manufactured from wool, silk and flax. Every year demonstrated the increasing importance of this manufacture, both in Europe and America, and the demand still continued to outrun the supply. These circumstances had their influence, in impressing upon our citizens, an exaggerated idea of the permanence and value of this source of agricultural wealth, and, along with it, the value of the trade which was concerned in the transportation of it. It persuaded our planters to believe, that they possessed an inexhaustible source of riches: it unfitted them for sober calculations upon the effects that would follow the extension of the culture of cotton, over the fertile regions that yet lay in wilderness behind them: and it equally disinclined them to foresee the possibility of the manufacture itself reaching a term at which it might become stationary and which was, therefore, eventually to set a limit upon the demand, at the very period when the supply would be increased in an almost infinite ratio, by the spread of population over other states of our Union, even more propitious than their own, to the production of the plant. It may, therefore, be considered a misfortune, consequent upon their former prosperity, that our citizens were almost irresistibly led by it into delusive estimates of the true and permanent sources of national wealth. It was one result of this state of things that, whilst our countrymen were intent upon gathering the harvest which the distracted condition of the world had strewn before them, they were unmindful of the future, and neglected to treasure up the elements of strength and prosperity, which lay hidden in the bosom of the nation; and which, as they were independent of foreign legisla-

tion or external accidents, were most likely to furnish the means of a stable and enduring happiness.

Troubles soon afterwards broke out at home. A war threatened, and our citizens were suddenly called to meet a tremendous emergency. Our commerce was put in fetters by non-importation acts and embargoes; and the crisis that succeeded, found us without the most ordinary resources of an independent people. Our armies went to the frontier clothed in the fabrics of the enemy; our munitions of war were gathered as chance supplied them from the four quarters of the earth; and the whole struggle was marked by the prodigality, waste and privation of a thrifless nation, taken at unawares, and challenged to a contest without a necessary armor of a combatant.

When it pleased Heaven to rescue us from the imminent hazards of this doubtful and disproportionate conflict, we saw around us a nation of eight millions of people, possessed of a territory nearly equal to the continent of Europe, rich in the ungathered resources of every kind of wealth—just emerging from a war of two years and a half, with an enemy who had never assembled an army of more than thirty thousand men—and yet deranged in all its channels of industry, exhausted, and on the verge of bankruptcy. Nothing but the most perverse neglect of the fundamental precepts connected with the proper administration of the concerns of a commonwealth, could have produced such a result!

These disasters opened our eyes to some important facts. They demonstrated to us the necessity of extending more efficient protection, at least, to those manufactures which were essential to the defence of the nation. They proved to us the value of a national currency, and the duty of protecting it from the influence of foreign disturbance: and amongst other things of equal moment, they made us acquainted with the fact, that the British manufacturers could find a large, and, if necessary, a complete supply of cotton from other soils than our own.

All these matters came into review before Congress, at the close of the war. A proper occasion for their discussion arose when the question was submitted, as to the reduction of the war duties. The return of peace made it necessary for the legislature to take off the taxes that had been imposed for defraying the expenses of the war; and in this reduction of duties, to what it was considered should be a permanent standard, the cotton planting interest urged with great force and propriety, the necessity of retaining such a duty, as should exclude from the American market, all fabrics made from the cotton of the East Indies. It was an anomaly apparent to every citizen of the United States, that our government, possessing so many facilities for supplying Europe with cotton, should, nevertheless, allow a trade that threw in upon us vast quantities of cotton cloth, produced at the distance of ten thousand miles: that our most common household supplies should be furnished from such a quarter. Nothing was more generally acknowledged, than the duty of the government to protect the cotton grower, against such a competition; and this argument was addressed to the nation by the cotton growing states, even with the conviction, at that time prevalent among themselves, that its success would be to give them what may be termed a species of monopoly in the supply.

The duty was retained; and it is important to know, that, being designed for the protection of the cotton grower, it was graduated to a scale precisely adequate to that purpose. His interest required the exclusion of the East India fabric, but was supposed to be hostile to the attempt of the American citizen to manufacture the material; the duty, therefore, was adapted to the first purpose, but not to the latter. It banished the foreign manufacture—it did not protect the home—being thus accurately adjusted to the wants and wishes of the planting interest, without professing to serve any other.

This placed our commerce on the most favourable footing for the cotton grower that could be desired; and the nation, having thus performed its duty to this valuable interest, turned its attention to other branches of industry.

The tariff of 1816, it may be remarked, was a measure that met the approbation of the large majority of the people in every section of the Union. No partial nor local considerations were embodied against the operation of either its principles or policy. The southern states were even more forward than their northern confederates in recommending the policy and defending it in the councils of the nation. By this tariff various manufactures were attempted to be established in the United States. The want of skill and capital, exposed these infant institutions, to a fierce and vindictive competition from the manufacturers of Great Britain; and in three years, almost every capitalist who had ventured into this field of enterprise, was broken up. The heavy loss and distress that visited this endeavour to establish manufactures, subsequently urged the subject of a more extended protection upon congress, and the result, after various struggles, cloae and elaborate inquiry, and a careful attention to the expanding means of the country, was the establishment of a vigorous system, which has diffused health and strength, into the industry of the nation, and added to the wealth of every class of the community.

[To be Continued.]

#### PROCEEDINGS OF FREE TRADE CONVENTION.

(Continued from page 346.)

Half past four, P. M.

The **PRESIDENT** took the Chair announced the appointment, by him, under the resolution of this day, of the following Committee on the Memorial to Congress, viz:

Albert Gallatin, of New York, *Chairman*. Charles Q. Clapp, of Maine. Henry Lee, of Massachusetts. William Hunter, of Rhode Island. Roger Minot Sherman, of Connecticut. C. L. Hardenbergh, of New Jersey. Clement C. Biddle, of Pennsylvania. George Hoffman, of Maryland. Thomas R. Dew, of Virginia. James Iredell, of North Carolina. William Harper, of South Carolina. John M. Berrien, of Georgia. Enoch Parsons, of Alabama. William E. Butler, of Tennessee:

A motion was then made that this Convention do now adjourn which was not agreed to.

Mr. **POINDEXTER's** resolution, which was before the Convention this morning, was again called up for consideration; when it was moved and seconded that the same be indefinitely postponed. Upon the adoption of this resolution, the yeas and nays were called by Mr. Poinexter, and were as follows:

YEAS:

*Maine*—Joshua Carpenter, Charles Q. Clapp, S. H. Mudge.

*Massachusetts*—Henry Lee, T. S. Pomeroy, Gideon Tucker, George Peabody, Isaac Newhall, J. W. Rogers, Henry Williams, Edward Crust, John Pickens.

*New York*—Preserved Fish, John Leonard, Edwin Bergh, Jonathan Goodhue, Isaac Carow, John Constable, George Griswold, Benjamin L. Swan, George T. Trimble, Zebedee Ring, H. Kneeland, James Heard.

*New Jersey*—Henry Clow, John Potter.

*Pennsylvania*—Joseph R. Evans, Clement C. Biddle, J. M. Barclay, E. Littell Samuel F. Smith, John A. Brown, Philip H. Nicklin, Condy Raguet.

*Maryland*—William W. Handy, Arnold D. Jones, George Hoffman, John J. Donaldson.

*Virginia*—Henry E. Watkins, Richard Booker, Samuel L. Venable, Thomas R. Dew, Walker Hawes, Thomas Miller, William G. Overton, George C. Dromgoole, Randolph Harrison, Richard Jones, Charles Yancey, Robert Hurt, Ferdinand W. Risque, Malcolm Mac-

farland, Thomas W. Gilmer, Burwell Bassest, H. R. Anderson, Josiah Ellis, Charles Everett, Alexander Gordon Knox, James S. Brander, Benjamin F. Dabney, R. O. Grayson, S. A. Storrow, Charles Cocke, John W. Jones, William O. Goode, William Townes, William B. Rogers, John H. Bernard, Linn Baoks, William H. Roane, James Lyons, Thomas T. Giles, Archibald Bryce, Jr. James Magruder, Benjamin H. Magruder, William Daniel, Jr. S. H. Davis, Littleton Upsher.

*North Carolina*—Joseph B. Skinner, Louis D. Wilson, William R. Holt, S. T. Sawyer.

*South Carolina*—Zachariah P. Herndon; James G. Spann, James Cuthbert, Thomas Pinckney, T. D. Singleton, William Butler, Joseph W. Ailston, Henry N. Cruger, Charles Macbeth, Henry C. Young, A. P. Butler, H. A. Middleton, Thomas R. Mitchell, Philip Tidyman, Stephen D. Miller, William Pope, John Fraser, Job Johnston, John Carter, Langdon Cheves, Joseph E. Jenkins, Hugh Wilson, J. H. Glover, T. Pinckney Alston, Edward Richardson, William C. Preston, Henry Middleton, Daniel E. Huger, Hugh S. Legare, John Taylor, Thomson T. Player, J. Berkeley Grimbail, James Rose, William Smith, Thomas Williams, Jr. Thomas Flemming.

*Georgia*—Robert Habersham, Seaborn Jones.

*Alabama*—John A. Elmore, Benajah S. Bibb, John W. Moore, P. Waters, William J. Mason.—127

NAYS:

*Massachusetts*—Theodore Sedgwick.

*Connecticut*—Roger Minot Sherman.

*New York*—John A. Stevens, Albert Gallatin, James G. King, Charles H. Russell, Isaac Bronson.

*New Jersey*—C. L. Hardenbergh, J. C. Van Dyck, Miles C. Smith, John R. Thompson, R. F. Stockton.

*Pennsylvania*—Richard Price, Henry R. Watson, Samuel Spackman, Thomas P. Cope.

*Virginia*—Philip P. Barbour, James M. Garnett, John Dickinson.

*North Carolina*—Joseph B. G. Roulhac, Edward B. Dudley, William A. Blount, Joseph D. White, David Outlaw, Thomas S. Hoskins, Nathaniel Bruer.

*South Carolina*—William Wilkinson, William Harper.

*Georgia*—Eli S. Shorter, John M. Berrien.

*Alabama*—Enoch Parsons, Howell Rose, Henry Goldthwaite, Archibald P. Baldwin.

*Mississippi*—George Poindexter.

*Tennessee*—William E. Butler, Alexander Patton.

Yeas 127—Nays 97.

So the resolution was indefinitely postponed.

The **SECRETARY** stated that there had been placed in his possession by Mr. Duff Green, printer to Congress, a number of copies of the last Annual Treasury Report upon the commerce and Navigation of the United States, for distribution amongst the members of this Convention: that the number now in his possession was equal to three for the Delegation of each State represented in the Convention, and would be delivered by him to any persons authorized to receive the same.

Mr. **BASSETT**, of Virginia, from the committee appointed on the 5th inst. to confer with the Pennsylvania Delegation, made a verbal report, in substance as follows:

That the Committee had had a conference with the Pennsylvania Delegation, that that Delegation, with a liberality not expected or desired by this Convention, had, in consideration of the fact that all the other members of this body had incurred great personal expenses in the discharge of their duties from which those residing in Philadelphia were exempt, insisted upon it as due to the Pennsylvania Delegation, to permit it to defray all the expenses incident to the sessions of the Convention: and, further more, the Pennsylvania Delegation desired it to be understood, that they would, at an early day, cause to be published, at their expense, the journal of this Convention, and transmit a copy to each member. Mr. Bassett concluded his report, by offering the following resolutions:



*Resolved*, That this convention express their sense of the polite and kind attention of the Pennsylvania Delegation, for the arrangements made for their convenience and accommodation, and tender them their most sincere and cordial acknowledgments.

*Resolved*, That the Delegation from each State be requested to take measures for the publication, within such State, of the proceedings of this Convention.

Which resolutions were unanimously agreed to.

On motion of Mr. Shorter, of Georgia, the letters of Mr. Ronaldson and Mr. Sarchet, and the proceedings of the meeting in Lauderdale County, Alabama, were referred to the Permanent Committee.

Mr. SEDGWICK, of Massachusetts, offered the following resolution:

*Resolved*, That the thanks of this Convention be presented to the President for the ability, fidelity, and impartiality, with which he has executed the duties imposed upon him by the Convention.

The PRESIDENT having called Mr. Bassett to the Chair, retired from his seat and the question having been put by the Chairman, the resolution was unanimously agreed to.

After the President had resumed the Chair,

Mr. BROCKENBROUGH, of Virginia, offered the following resolutions:

*Resolved*, That a unanimous vote of thanks be presented to the citizens of Philadelphia, for the kindness and hospitality with which they have treated the members of this Convention.

*Resolved*, That a unanimous vote of thanks be presented to Mr. Condé Raguet, for the ability, zeal, and fidelity, with which he has executed the duties of Secretary; and that, for his exertions in the cause of Free Trade, the members of this Convention consider themselves pledged to recommend his paper, "THE BANNER OF THE CONSTITUTION," to the patronage of the citizens of their respective States.

Which resolutions were agreed to; and there being no further business before the Convention, it was moved to adjourn.

The PRESIDENT then rose and delivered an Address to the Convention, after which he declared that body to be adjourned, *sine die*.

(A true copy of the original.)

CONDÉ RAGUET, Secretary.

From the Philadelphia Gazette.

## PROCEEDINGS OF COUNCILS.

THURSDAY EVENING, NOV. 24, 1831.

**SELECT COUNCIL.**—Mr. MASSEY presented a petition for repaving Church Alley, which was referred to the Paving Committee with power to act.

Mr. PETTIT presented the following memorial from the Franklin Institute:

*To the Select and Common Councils of the City of Philadelphia.*

The Memorial of "the Franklin Institute of the State of Pennsylvania for the promotion of the Mechanic Arts" respectfully sheweth:

That your memorialists, have ever since the formation of their Institute, been in the habit of holding annually in this city exhibitions of Domestic Manufactures, which have, it is believed, been found productive of much benefit to the arts. In order to call the attention of the mechanics and manufacturers to those branches of industry which were considered as susceptible of improvement, the Institute has from time to time advertised a list of premiums. Among the articles to which they have for one or more years invited attention, was the improvement of our common street lamps, or the substitution of a new one uniting economy to efficiency —as yet no manufacturer has competed for this premium; your memorialists believe that the best mode of stimulating our artisans to competition consists in the

offer of a pecuniary reward to accompany the honorary medal of the Institute.—Impressed with this conviction they applied last year to the proprietors of the Anthracite Mines of Pennsylvania for a fund to be awarded to the manufacturer of the best stove or grate for the use of the poor. This request of the Institute followed by the liberal appropriation of one hundred and twenty dollars, from the Coal proprietors on the Schuylkill and Lehigh, occasioned the active competition on stoves, which took place at our late exhibition, and which has fully justified our expectations of the advantages of such an offer.

Impressed with the belief that few if any objects are more wanted to promote the comfort of the citizens and the administration of the police of the city than an improved mode of lighting the streets at night, your memorialists are anxious to offer a pecuniary premium on lamps to be awarded at their eighth exhibition in October next, but as the limited state of their funds and the many imperious calls from other sources preclude them from devoting any portion of them to this object, they take the liberty respectfully to submit the matter to the City Councils, with a hope that if in the opinion of your honorable bodies, such an appropriation can be made consistently with the public good, you may be pleased to intrust the disposal of it to the Franklin Institute.

Your memorialists having understood that applications have been made to Councils for the introduction of gas lights in the city, beg leave to add that this is a question with which they as a body, are in no manner connected; but that the improvements which they are anxious to see introduced in the street lamps may be made so as to apply equally well to oil or gas lights.

Your memorialists trust that the system upon which the Institution has hitherto conducted its exhibitions is too well known in this city to require that they should do any more than state in concluding their memorial that they are prompted to this application by no objects of private or personal advantage, but merely by the hope of contributing to the public good and of promoting the mechanic arts in a point in which they think there is much room for improvement and in which the comfort and security of the citizens as well as due economy of the municipal treasury are deeply interested.

By order and in behalf of the Institute.

November 21st, 1831.

Mr. PETTIT as Chairman of the Committee on the revised ordinances, reported an ordinance, relating to the markets, one relating to the High street market place, and one relating to the Second street market; which were ordered to be printed.

Mr. WORRELL offered the following resolution, which was agreed to, and Messrs. Worrell, Massey, Sullivan and Moss were appointed the Committee.

*Resolved*, by the Select and Common Councils, that item No. 9, in the report of the Committee of Select Council on unfinished business, viz. expediency of removing old engine house, and improving lot corner of Chesnut and Schuylkill Front streets, be referred to a special Committee of two members of each Council.

Mr. WORRELL offered the annexed resolution which was agreed to.

*Resolved*, That all communications to late Councils, relating to leasing wharves, on Schuylkill, be referred to committee on Chesnut street wharf, Schuylkill.

The Communication from Messrs. Charles Humphreys & Co. received at the last meeting of Councils, was referred to the committee on Chesnut street wharf, on the Schuylkill.

The Select Council concurred in the resolution sent in by the Common Council at their last meeting, relative to repairing the roof of the market house between Third and Fourth streets.

Mr. PETTIT offered the following resolution which was adopted by both Councils.

Resolved by the Select and Common Councils, That the Mayor be and he is hereby authorized to draw his warrant on the City Treasurer, for one hundred dollars in favor of the Treasurer of the Franklin Institute of the State of Pennsylvania, to be paid to said Franklin Institute, when they shall have awarded a premium of one hundred dollars, and a silver medal for the best constructed lamp for illuminating the streets of a city.—The amount of the said order to be charged to appropriation No. 21.

**COMMON COUNCIL.**—Mr. BAKER presented the annexed petition from Mr. J. Humphreys McIlvain, which was referred to the Paving Committee, with power to act.

*To the Select and Common Councils.*

Your petitioner occupying as a lumber yard the lot of ground situate at the North East corner of High and Schuylkill Seventh streets, respectfully represents,

“That owing to the recent regulation of Filbert and Schuylkill Seventh streets causing an elevation in said streets from two to three feet above the level of his lot, thereby rendered it, which before was completely dry, subject to continual inundations, and unless some remedy be devised to his great detriment and loss, and as such a remedy unattended with the least injury to public property and so highly advantageous to your petitioner, may be obtained by directing the passage of the water from one corner of the lot by means of a trunk (or in any manner Councils may direct) into the common sewer, your petitioner would therefore respectfully solicit of Councils the privilege of laying said trunk, subject at any time to their removal.”

J. HUMPHREYS McILVAIN.

11 mo. 17th, 1831.

Mr. OXIE presented the annexed petition from the Victuallers, which was referred to the Committee on Markets.

*To the Honorable the Select and Common Councils of the City of Philadelphia.*

Gentlemen,—It is not with feelings of reluctance, that we again petition your body, upon a matter, not unfrequently heretofore, affording us material for memorializing;—But, it is, with the most sincere feelings of sorrow and regret, that we find, yet remaining in our possession, such undeniable grounds for addressing your Honorable Body, either for a redress of grievances yet existing, or for an extension of privileges to us, enjoyed by others less entitled to and unjustly due them. You cannot otherwise than be aware, that we have ever held up the principle that sanctions, and the law that decrees, the impartial administration of rights and privileges. It has ever been to this point which we have directed our attention, and it ever has been our unfortunate lot heretofore, to be unsuccessful and unavailing in all our petitions or applications made, or presented to your Honorable Body. We shall in conformity with the position assumed, confine ourselves exclusively to the notice of the violation of the existing ordinances regulating the markets. The first of which, standing most prominently in importance, is that requiring all who occupy stalls in the western moieties of the shambles, to vend the produce of their farms, and the literal construction and version of the said law is, that the stalls shall be rented to such persons and to none others! and could any law be more emphatic or explicit? Your Honorable Body has frequently heretofore been informed, that not an individual who occupies the stalls sforesaid, that among the many of these assumed and cloaked practitioners is there one, who is a real farmer, literally and legally complying with the law aforesaid. No! these are what the law so correctly and appropriately styles Shimmers; unjustly pursuing a profession to which they have no right, otherwise than as we practise it ourselves. And yet these persons are permitted to retain these stalls appropriated and designed for the exclusive use and behoof of farmers, not only to the serious injury of our

profession, but to the no less serious injury of the yeomen of the country, who are actually prevented from holding or possessing a stall in the shambles. Moreover, does it comport with the nature of our laws and institutions! to grant a privilege to one class of society, who act in non-conformity with laws? and deny the said privilege to another class or portion of the community, who are justly, legally, and of right entitled to the same? Is it consistent with the spirit of any laws, with the administration of impartial justice, to dispossess one set or fraternity of men, of stalls, legally held, legally occupied and tenanted by the occupants? and grant the same stalls to persons who act in direct violation of the ordinances enacted by your Honorable Body? And is it not generally known that these assertions are uncontradicted and substantiated facts? A recurrence to his Honor's (the Justiciary of the City) Record will confirm what is here exposed. And it certainly cannot be an unknown fact, that the respectable portion of Victuallers, (viz. Boreaff, Drum, Shuster, Miller, Ninestee, Woelpper, Hamel and others) who are Graziers, and who feed and fatten poor stock, some of them to the number of 150 head, and others more or less, have actually been driven and ejected from the said stalls, and portion of market appropriated to the use of those who sell the produce of their farms; and the said stalls, as heretofore noticed, granted to such persons, as have not sufficient ground to fatten nor feed the most diminutive of animals—Who, here remark, continue slaughtering the whole continued year, when a Grazer can feed his stock but six or seven months; and where, during the remnant of the year is this stock obtained? It is easily answered and no less easily proved. It is of this, that we so heavily and justly complain—that these “Shimmers” should be permitted to occupy the best and most valuable stalls in the market, and we utterly denied the same privileges, notwithstanding our paramount, just and legal claims. All that we ever have, and all that we do now ask and solicit from your Honorable Body, is to place us upon the same footing as those against whom we complain. To enact a law, that will not permit or tolerate others to violate it with impunity. It cannot be presumed that, if these “Shimmers” are permitted to pursue their present career, without a vestige of the law to support them—that we will remain spectators, unmoved, and fail to exercise in common, with others, those privileges, that we desire to partake of. It may not by your Honorable Body, be thought improper, to apprise you of a practice of which you must be ignorant, to wit: that private persons as well as many others, who in appearance, though not in reality, are Farmers, rent Stalls, and then underlet and parcel them out to individuals, thereby speculating upon the same. This is a notorious fact, and loudly calls for your aid and intercession to arrest a practice that is striking at every thing just and legal.

We, your humble petitioners, do most sincerely hope, and earnestly solicit, that you will take the matter into your most serious consideration, and we will ever pray, &c.

We, the undersigned, are Victuallers, occupying Stalls in various sections of the Markets of the City.

Mr. OXIE presented the following remonstrance which was referred to the committee on Markets.

*To the Select and Common Councils of the City of Philadelphia.*

The memorial of the undersigned respectfully sheweth,

That they are shoe-makers, by occupation, and depend, for the maintenance of themselves and their respective families entirely upon their industry in making, and their opportunities of selling shoes,—that they are humble and poor men, unable to pay high rents for houses or stores, and earning a scanty subsistence by retailing the work of their own hands,—and that they have, for some time back, occupied and do still occupy the northern and outer side of the stalls in Fourth street

market, conformably to an arrangement made by Ordinance, for the purpose of vending their commodity.

Your memorialists believe themselves to be as much entitled to the fostering protection and care of your honorable bodies, as the wholesale and comparatively wealthy shoe-dealers by whom an application has been made for their removal from the stalls they now occupy. It is only by greater habits of personal and domestic economy, and by unremitting manual labor, that they are able to enter into any competition whatever, in the sale of shoes, with these their most affluent and fortunate fellow-citizens.

Your memorialists, therefore, respectfully pray that the application of the said shoe-dealers may not be granted, but that the undersigned may be permitted to carry on their small, though, to them, all-important business as heretofore:—And they will ever, &c.

Mr. WAINWRIGHT presented the following petition which was referred to the Committee on Fire Companies.

*To the Select and Common Councils of the City of Philadelphia.*

The Memorial of the Subscribers, respectfully representeth—that for a number of years they have been under the necessity of using an *Alarm Bell* in time of Fire, they being at a remote distance from the State House. The great utility of the measure has been generally acknowledged and they doubt not will continue to be so, but your memorialists residing in the north-western quarter of the city are compelled to continue their laudable establishment, and without which they will be forced to relinquish a great public good. At the late fire of the gaol in Arch street, when by the fire the rope of the *Bell* of the same was burnt, our *Bell* gave a timely alarm, and doubtless prevented the destruction of much property. It is calculated that for the sum of three hundred dollars, such an establishment could be erected as would fully meet the view of your memorialists and the citizens generally, and would at the same time, be the means of saving perhaps thousands of dollars to the city, by being able to give timely notice of that dreadful calamity, *Fire*. For so obvious a public good, we pray that you will grant our petition.

Mr. BAKER presented the subjoined letter from Mr. J. M. Truman, which was referred to the Paving Committee, with power to act.

*To the President and members of the Select and Common Councils of the City of Philadelphia.*

Gentlemen—Your petitioner (the owner of a lot of ground and building at the corner of Juniper and a twenty foot street, running from Juniper to Broad street, south of Spruce street) respectfully requests Councils to grant him liberty to set the curb stones on the south line of said twenty foot street which will enable him to form a gutter to lead the water into Juniper street, which now runs from the Spruce street yards across his and the adjoining lots to the south, to the injury and great inconvenience of all the owners.

In granting the liberty within requested, you will confer a favor on yours, respectfully,

JOHN M. TRUMAN.

Philadelphia, Nov. 24th, 1831.

A communication was received from Mr. Bozorth, which was referred to the Committee on the revised Ordinances.

Mr. BAKER presented the following petition from Mr. Schofield, which was referred to the Paving Committee.

November 22d, 1831.

*To the Select and Common Councils of the City of Philadelphia.*

Gentlemen—The undersigned proposes to dig out to the regulation, and remove the earth, from Willow st. between South and Pine streets, for the consideration of ten cents per cubic yard, with the privilege of disposing of the earth, &c. that may be necessary to remove; he will give satisfactory security the same shall

be complete at the time named by your Committee; he is Gentlemen, very respectfully, your most obedient, &c.

LANE SCHOFIELD.

Mr. BAKER as Chairman of the Paving Committee, made the following report and resolution, which were adopted by both Councils.

The Paving Committee to whom was referred the application of Timothy Caldwell, for digging Schuylkill Second street, from Locust to George street, and George street from Second to Third street, report,

That an arrangement has been made with George Bumm, (under a resolution of Councils passed in Oct.) by the former paving committee for removing the earth out of the principal street applied for, offer the following resolution—

Resolved, That the Committee be discharged from further consideration of the petition.

Mr. SEXTON offered a resolution to appoint a committee to inquire into the expediency of disposing of the Drawbridge lot, which was agreed to.

The Councils adjourned to meet again on Thursday next.

## LITTLE SCHUYLKILL RAIL ROAD.

The formal ceremony of opening transportation upon this line of communication, took place on Friday the 18th inst. Two splendid Pleasure Cars, of Baltimore construction, containing about 60 persons, propelled by two horses each, and one of less dimensions and lighter construction, with one horse, and two trucks for burthen, also containing passengers, left Port Clinton at 10 o'clock, with the President, Directors and officers of the Company, their Engineers, and a number of individuals from Philadelphia, Reading, Pottsville, Catawissa, and other districts of country, on board. With the enlivening music of a set of Kent Bugles, in the hands of good performers, and a flag waiving upon the Car which carried the President and Directors, the procession proceeded over the whole line, a distance of 21 miles, where it arrived a few minutes after one, having been detained about half an hour at the re-lay and other places on the road. On the arrival of the procession, at the mouth of Wabash Run, where the Rail Road branches off to the Coal Mines, their eyes were greeted by the sable display of 15 Cars, heavily laden with a most beautiful specimen of the Tamaqua Coal, from the Company's Mines, over each of which was a white flag, fluttering in the air, affording a pleasant contrast with the "coal black" appearance of all beneath them. In front of these Cars, arranged in due order, stood a company of Miners, amounting in number, probably to some 40 or 50, in their working habiliments, which with their heads uncovered, and their smeared hands and faces, might be supposed somewhat to resemble a troop from the sooty regions of Pluto, who, with stentorian voices, roared three cheers as the procession came opposite. Here a gentleman alighted from the Cars, and took a view of the Coal, the construction of the Coal Trucks, &c. &c. after which the procession proceeded to Mr. Keasby's Hotel, where an excellent dinner, got up in good taste, was soon placed on the Board, around which, as many as could be accommodated, were soon seated, leaving as many more in the rather unpleasant, but unavoidable predicament of lookers-on. Dr. ISAC HEISTER, of Reading, the President of the Board, took the head of the table, and Mr. EDWARD R. BRIDLE, of Philadelphia, the Secretary and Treasurer, did the honors of the other extremity. After the cloth was removed, a few appropriate toasts and sentiments were expressed, which were drunk with enthusiastic applause, but which were necessarily restricted in number, by the annunciation from the chair, that candidates for a second table were in waiting.

All that was done, though well done, seemed to be the spontaneous effusions of the moment; and therefore,



was the more impressive and imposing. Not having anticipated such a state of things, one of the Editors of this paper, who had the honor to be one of the company, was not provided with the means of taking notes—and is, therefore, under the necessity of depending on recollection for the following imperfect sketch of the proceedings, at the first table. We understood that some appropriate toast were drank at the second table, but not having been present, nor been furnished with copies, they are unavoidably omitted.

The President of the day being called on for a toast gave—

*The Enterprize we celebrate.*

Mr. E. R. Biddle, the Vice President, gave—

*Our Engineer in Chief—MONCURE ROBINSON.*

On this toast being given, and drank with pointed satisfaction, Mr. Robinson thanked the company for the honor they were disposed to do him; but said that he could scarcely deem himself entitled to such praise for having succeeded in a case, where such efficient means had been afforded him, in the kind confidence and friendly partiality of his employers. The former had been to him an invaluable lever, and he had found in the latter, the strongest incentive to use the best exertions in their service. He hoped, at least, to be allowed to divide any credit which might be ascribed to his efforts, with the gentlemen to whose zealous co-operation and efficient support, he was more deeply indebted. He meant the Treasurer and Secretary of the Company, Mr. E. R. BIDDLE.

On this sentiment being drank, Mr. Biddle, in a few neat and appropriate remarks, returned his thanks to the company, and trusted the day was not distant, when the improvement, by the instrumentality of which they had been assembled around the festive board, at Tamaqua, would be extended to the Susquehanna. He begged leave under the influence of his feelings, to propose,

“Our Union with Cattawissa and our Cattawissa Friends.”

Colonel JOSEPH PAXTON, of Cattawissa, returned the thanks of his townsmen for this remembrance of them, and hoped, with the gentleman who had last spoken, that a similar occasion might, ere long, assemble a large portion of the present company, at Cattawissa. Under these circumstances he would offer—

“The Little Schuylkill and Susquehanna Rail Road.”

Mr. THOMAS BIDDLE of Philadelphia, gave—

“The Projector of the improvements of the Little Schuylkill Company—Dr. ISAAC HEISTER.”

On this toast being cheered by the company, Dr. HEISTER rose and said—

“In tendering my sincere acknowledgments for the flattering manner in which my name has been mentioned, I have to regret the absence on this joyous occasion, of one who is entitled to a full participation in the compliment with which I have been honored. The gentleman to whom I allude, is Professor LIST, whose enterprise and public spirit are well known, and who is now on his homeward voyage from Europe, where he has, at his own expense, spent the last year, for the purpose of introducing the American anthracite. Associated as he was with me, from the commencement, in designing and accomplishing the preliminary arrangements of the Little Schuylkill improvement, I take great pleasure in acknowledging how much the successful result of our labors was indebted to his talents, ingenuity and perseverance. I am, however, fully sensible, that whatever merit may be due the original projectors of the enterprise, this company is more indebted to the abilities and zeal of other individuals, for its completion. The business of the former, although not unattended with difficulties, was only to sketch the outlines, while it devolved on the latter, with the skill of

the more accomplished artist, to fill up and impart life and animation to the picture—the construction of a rail road—the location of a town at each of its extremities, and the mining of Coal, were indeed objects embraced in the original design. Merely, however, to say, that this general plan, with its numerous incidental improvements, has been well executed, presents but a faint idea of the ingenuity displayed in maturing its details, and the indefatigable industry with which it has been so far accomplished. From the moment the company was definitely organized, the Treasurer and Secretary, in the capacity of an agent also, entered on his duties; and although these were new and diversified, he discharged them with a tact for business, peculiarly his own, and with a zeal and success no less honorable to himself than satisfactory to the company. As soon as prior engagements permitted, the eminent professional gentleman, whom the company had the good fortune to engage as engineer in chief, joined him at Port Clinton, and no time was lost in locating the main rail road. It was put under contract, to be graded for a double track, on the 7th of July last year; and we now have the satisfaction of beholding how much may be accomplished in the short period of sixteen months, by science and skill combined with art and industry. By their resistless power, “the wilderness has been made to smile, and the desert to blossom.” Before their march, the dark and almost impenetrable thickets through which the Tamaqua had wound its course for unnumbered years, have disappeared; and the river himself, in obedience to their united efforts, has abandoned his accustomed channel, to make room for the construction of a work which will rank high among the public improvements of the country. He would offer as a toast—

“PROFESSOR LIST—His exertions to introduce anthracite into the European markets, deserve our thanks.”

When the sentiment proposed by Dr. Heister had been drank,

Mr. ROBINSON rose to say, that he could not resist the temptation of stating to the company a fact, of which some of them, perhaps, were not apprized. Few persons could now be sceptical as to the great facilities and the immense accession to its wealth and power, which its canals and rail roads, were to confer on this favored state. There was a gentleman seated at this table, to whom, more than to any other, his fellow-citizens were indebted, for having very early attracted attention to the last named species of improvement. At a time when nothing which could be referred to as a model existed in our country, and when public attention had scarcely been directed to Rail Roads, he had maintained, in a most interesting pamphlet embodying many striking facts, in illustration of his argument and views, their superior and extensive application. He would add nothing more; for he observed the company had already anticipated him; but would satisfy himself by naming Mr. WASHINGTON SMITH:

Mr. SMITH, in his usual happy manner, returned his thanks to the company. In the course of his remarks, he stated the astonishing fact, which his inquiries, in regard to the Internal Improvements of Pennsylvania, had enabled him to ascertain, that as much as *thirty-seven millions of dollars* had, since the formation of its constitution, been invested in Internal Improvements, and that there were already not less than *sixty-seven Rail Roads*, of more or less extent, within its limits. He adverted very happily to the foresight of the late Gov. MIFFLIN, and Dr. Wm. SMITH, who at a very early period had suggested some of the most important improvements of the State, and among others, the plan, not yet completed, of a connexion between the great Northern Lakes, and the Schuylkill. He concluded by offering as a sentiment—

“The Union of the Great Northern Lakes, and the Schuylkill.”

Mr. NATHANS, of Philadelphia, after some prefatory

remarks, in which he adverted very happily to the liberal enterprize of the gentleman who formed the subject of them, gave, as a toast,

"THOMAS BIDDLE, of Philadelphia, whose liberality is as extensive as the resources of Schuylkill county."

This sentiment was received, by the company, with great applause. When the cheering had ceased,

Mr. BIDDLE observed, That, overwhelmed as he was, by the unexpected compliment which had been paid him, he could do little more than tender, in return, his thanks—that if there had been any thing in his course to approve, it was ascribable to his having been brought up at the foot-stool of those great men, who had been accustomed to look upon the interests of Pennsylvania, as their own best interests—that it had been early impressed upon him, that prosperity was not to be enjoyed alone, and that he who would be prosperous himself, could pursue no more certain rule of action than to unite as far as possible, his own welfare, with the welfare and prosperity of others. He was sure that the joy of the company, on this festive occasion, would not be the less, if there mingled with it a recollection of those patriots now no more, to whom we were indebted for so many blessings; and would propose, as a toast, the memory of a citizen of Pennsylvania, whose forecast of mind, and valuable services had been before adverted to—he meant

"THOMAS MIFFLIN, late Governor of Pennsylvania."

In the evening, a Ball was held at the Hotel of Mr. GEORGE AUDENRIED, in that elevated and commanding village called East Tamaqua, which owes its existence to the enterprize of Mr. BIRD PATTERSON. A profusion of the good things belonging to such occasions, had been provided. They had for music, a part of Johnson's celebrated band. The only drawback upon the pleasures of the evening, was the absence of ladies from the depots of fashion in the county and neighboring districts, who it was understood were prevented from attending, by the inclemency of the afternoon.

Finally the whole affair went off extremely well. The Little Schuylkill Rail Road has been fairly and prosperously put in operation within the time, and at an amount not exceeding the original estimate of the Chief Engineer. The work has been executed in superior style; and there is every prospect that the proprietors will realize all the advantages from it, which their most pleasing anticipations have pictured to them. It was contemplated to load a boat, with Tamaqua coal, on Tuesday last—the arrival of which, in the city, we have no doubt will be duly announced by our brethren.

Among other prominent individuals, not mentioned in the foregoing account, we were pleased to recognize our old friend and pioneer in the Susquehanna and Schuylkill connexion, Mr. CHRISTIAN BROBST, whose first excursion upon the Rail Road, we are happy to know, was of much more pleasant termination than that which he experienced on board the "COBORUS."—*Harrisburg Intelligencer.*

## REPORT OF THE UNION CANAL COMPANY OF PENNSYLVANIA,

TO THE STOCKHOLDERS.

It has again become the duty of the Managers of the Union Canal Company, to lay before the Stockholders, the annual report of the business intrusted to their charge. In doing so, they enjoy the satisfaction of informing them that the plans for supplying the summit level with water, carried into effect for the first time during the past season, have thus far proved entirely

successful—the supply has been abundant, and the navigation has not been suspended for a single hour, on any part of the line from a deficiency of water, notwithstanding that a heavy draft from the summit, became necessary for maintaining the required depth in four short levels near Myerstown, from which a large quantity escaped through the fissures in the limestone rocks under the Canal—the loss of water was such as to induce the Managers to direct the resident Engineer, to make the necessary preparations for planking the parts, which in his opinion required such precaution.

He accordingly, purchased and prepared the materials for planking two short levels, and parts of two others, in the whole about two miles in length, which will be completed when the navigation ceases for the winter.

The great reservoir, particularly referred to in the last annual report, has fully answered the purpose for which it was constructed, and the supply of water exceeded all expectations—as it did not at any period of the season, fall below the coping of the dam, except when drawn down for purposes not immediately connected with the navigation.

The grading of the rail road, and the basins at Pine Grove are finished, and the rails and rail road iron ready to be laid down—all further operations have been suspended until the period when an increase of the coal trade at Pine Grove, will justify additional expenditures—this may not take place until the private lateral roads shall be completed.

The increase of trade on the Canal, is manifested by an increase of tolls, which, for the year ending the 1st November, 1831, amount to \$39,137 22 cents, an augmentation of upwards of 70 per cent. on the tolls of the last year, and more than 150 per cent. on the tolls of 1829, with a corresponding increase of tonnage—furnishing in the opinion of the board, adequate grounds to justify an expectation, that at no distant period, the income of the company will be sufficient to make ample remuneration to the Stockholders, for their liberal advances of capital, without continuing the extra aid obtained under certain legislative grants. In fact, when it is considered that hitherto, but little advantage has been derived from the state works, and that those works when in full operation, must, from their immense extent, supply the Union Canal with an additional trade of great amount and value, it will be conceded that the result here anticipated, cannot but be realized within a very reasonable period.

The burden of several of the boats engaged in the transportation of produce and merchandise on the canal, furnishes additional proof of the capacity of the canal to accommodate the internal trade of the state. The Montezuma carried 1210 bushels of wheat, equal to 30½ tons; and the Farmer, 1196 bushels of wheat, equal to 29 tons 18 cwt. together with many others which might be mentioned of like burden.

The list of articles transported on the canal, shews that 85,053 bushels of bituminous coal have passed, which is but the commencement of an important trade with the west branch of the Susquehanna.

The Managers congratulate the Stockholders, in being able to inform them that the work may be considered as complete, (the parts herein before referred to excepted) and that no additional expenditure will be incurred, until it becomes necessary to erect a more permanent feeder than the one now in use, between the water works and the summit level.

For a statement of the financial concerns of the company, the amount of tonnage, and tolls for the past year, the Stockholders are referred to the several statements hereunto annexed. All of which is most respectfully submitted.

WILLIAM READ, President:

Philadelphia, Nov. 15th, 1831.

STATEMENT of the Tonnage which passed the Union Canal, from the first of November, 1830, to November first, 1831.

		<i>Weighting Tons.</i>		
Flour,	74,905 barrels,	7,133	16	0 0
Wheat and Rye,	257,565 bushels,	6,439	3	2 0
Whiskey,	12,763 barrels,	1,595	7	2 0
Iron,		5,110	15	3 14
Coal (bituminous)	85,053 bushels,	2,835	2	3 0
Lumber,	13,303,000 feet,	13,303	1	1 0
Shingles,	6,292,000 feet,	3,146	5	2 0
Staves,		83	0	2 0
Gypsum,		6,996	1	2 0
Fish,	12,263 barrels,	1,635	2	1 7
Salt,	61,920 bushels,	1,548	8	3 23
Merchandise,		6,389	6	3 0
Sundries, consisting of Corn, Flaxseed, Clover Seed, Cotton, Tobacco, Leather, Limestone, Butter, Lard, Hemp, Bricks, &c.		3,755	4	0 22

Total amount of Tonnage, 59,970 16 2 10  
Amount of Tolls received during the same period, 59,137 dollars 21 cents.

### LAW CASE.

COURT OF COMMON PLEAS, Oct. 27, 1831.

*Before Judge KING and a Special Jury.*

Hans H. M. Byers, as well for himself as the Commissioners and inhabitants of the district of Southark, *vs.* William Price.

This was an action of debt, brought by the plaintiff against the defendant, who was a pawnbroker, in the district of Southark, to recover the sum of *one hundred dollars*, averred to have been forfeited by him, in consequence of demanding and receiving a higher rate of interest, than is provided and sanctioned by the ordinances of the said district.

It appeared in evidence, that a young woman, whose character was respectable, in the spring of 1829, pawned, on behalf of the plaintiff, certain articles of clothing belonging to him with the defendant, who advanced on them four dollars, but neglected to deliver to her a certificate of the pledge. That, six months afterwards, she paid to the defendant, on account of the goods, fifty cents, and, three months after such payment, called upon the defendant, to get the goods, and inquired what was the amount of the principal and interest to redeem them. The defendant replied, "five dollars and fifty cents," which she accordingly paid to him; making the whole amount of interest which she paid to him, two dollars. She did not, however, obtain all the goods. It further appeared, that by the sixth section of the Ordinance for Regulating Licensed Pawnbrokers, passed the 26th of December, 1823, the defendant was authorized to charge for his advance of four dollars, for nine months, only *ninety-nine cents*, instead of *two dollars*. The clerk of the district proved that the defendant was, in 1829, a licensed pawnbroker.

After argument of counsel, Judge King remarked to the jury, that if the young woman was to be believed on her oath, it was too plain a case to admit of doubt. The defendant's conduct was unjustifiable; he had charged a most exorbitant interest, and had, therefore, clearly forfeited the hundred dollars which the ordinance imposed, and justly too, for such an act. The ordinance allowed him most liberally for the use of his money, and he ought to have been content with it. Pawnbrokers were a description of persons that required to be carefully watched—the poorer classes of society were oftentimes at their mercy—ignorance of the law, or the fear of exposure, frequently prevented individuals from prosecuting them for their impositions, and it was, therefore, but right, for courts of justice to punish them whenever it appeared they had taken advantage of the

poverty or ignorance of others. It was a mistake to suppose that a pawnbroker was not bound to deliver a certificate of the pledge without its being demanded of him by the owner. It is his duty in every case, besides making the regular entry in his books, to offer a certificate, and if he neglects to do so, he brings himself within the law, and forfeits the sum of fifty dollars. A verdict for the plaintiff in this case, might perhaps, prove a salutary lesson to other pawnbrokers, and prevent the perpetration of similar impositions.

The Jury, without hesitation, found for the plaintiff for the penalty of one hundred dollars and costs, Doran for plaintiff. Solomon for defendant.

### ESCHEAT COSTS.

Many of our readers are interested in this subject—either as defendants in the suit, witnesses or Jurors. The Courts which were held at Doylestown, during the last summer, necessarily incurred considerable expense, for the fees of the Deputy Escheator, Sheriff, Witnesses and Jurors. It was supposed by many, that the Commonwealth would be liable for all the cost, as the prosecutor in the Case, and being defeated in the action. Mr. Ross, in order to ensure the speedy payment of the various expenses attending the trial, addressed the Auditor General upon the subject, to which he received the following reply. It will be seen the Auditor General is of opinion, that the state is not liable for the cost accrued; but the informer, Reynolds, entered upon the investigation of the matter with a full and distinct knowledge, that he would be answerable for the cost in case of defeat; the Commonwealth being merely the agent through which the suit was conducted.

Auditor General's Office,  
Nov. 16th, 1831. }

DEAR SIR—It has not been the practice in this Office to pay costs in escheats, where the escheat has not been sustained. This practice has never, that I can discover, been departed from. It was adopted, no doubt, to protect the Commonwealth from paying costs at the discretion of any one who might choose to file information of an escheat on frivolous or untenable grounds. It may be said that this practice is not sustained by the act of 1821, transferring the duties of Escheator General to the Auditing Department. In order to arrive at a correct decision on that clause of the 3d Section of the act of 1821, which says, that the costs are to be paid out of the State Treasury, it will be necessary to examine the former law, on the subject of escheats, and the practice under those laws. The 13th Section of the act of 1787, which designates the fees to be allowed in cases of escheat, says nothing of the fund out of which those fees are to be paid, but here the practice has settled the matter. If an escheat was sustained, the Escheator General adjudicated the case, made payment of the costs, paid the informant his money, and paid the residue into the State Treasury; but in no case can I find that he has drawn on the Treasury to meet a case where the escheat was not sustained.

The whole tenor of the law on escheats, and the payment of costs and fees under them appear to be confined to those cases where the escheat has been sustained; where it has not been sustained, the law is entirely silent, the costs have not been paid by the State, and of course every one bore their own share of loss.

The act of 1821, takes the old laws and the practice under them, and transfers the duties to the Auditing Department. The whole amount of the money arising from the escheat, is paid into the State Treasury. The Auditor General takes up the matter, judges of the legality of the costs, and if correct pays them by his warrant on the State Treasury; the whole transaction being still predicated on the escheat having been sustained, and the money paid in. The words in the 3d Section



of the act of 1821, *paid out of the State Treasury, &c.* means this and no more, that as the money arising from the escheat has been paid into the State Treasury, and mingles with the general fund, it is not necessary for the Auditor General to draw his warrant specifically on the monies paid in, but on the Treasury as a general fund, of which the monies arising from the escheat forms a part.

In a case of escheats the state is not, properly speaking, a party in the suit, but only the agent through whom the informer is enabled to sustain an action, and so it must have been considered by the legislature, at the passing of the act of 1821. If it had not been so considered, *they* would have provided some protection against frivolous suits, but the words of the act are imperative; the Auditor General *shall* issue his commission of escheat on information being filed, and there can be no doubt that it was supposed to issue at the risk of the informer.

It is by the act of the informer that this cost has accrued, and justice would say that the informer should be liable. Nor could Mr. Reynolds complain if he is made to pay the costs in the present case, as he had the commission issued under a full knowledge, and with a perfect understanding that if he failed, the state would pay no costs, but that he would be individually liable.

Your's respectfully,

DAN'L STURGEON.

THOMAS ROSS, Esquire, Doylestown.

### FAYETTEVILLE SUFFERERS.

The citizens of Fayetteville have removed the veil of mystery hung over the amount collected in this city and elsewhere, for the relief of the sufferers by the conflagration in that town, on the 29th day of May last. The whole amount received from all parts of the Union, was \$92,297 88, from the following States and Territories—

Massachusetts,	- - -	\$14,518 69
Maine,	- - -	125 00
Rhode Island,	- - -	2,067 64
New Hampshire,	- - -	290 00
Connecticut,	- - -	3,002 40
New York,	- - -	10,648 51
Pennsylvania,	- - -	12,731 00
New Jersey,	- - -	805 49
Maryland,	- - -	6,820 79
District of Columbia,	- - -	870 00
Virginia,	- - -	8,040 88
North Carolina,	- - -	11,406 34
South Carolina,	- - -	9,100 37
Georgia,	- - -	4,102 72
Tennessee,	- - -	45 00
Ohio,	- - -	1,158 02
Mississippi,	- - -	1,119 50
Louisiana,	- - -	5,050 00

The largest contributions from Cities and Towns were as follows:

Philadelphia,	-	-	-	11,857	42
New York,	-	-	-	10,293	54
Boston,	-	-	-	9,708	25
Baltimore,	-	-	-	5,762	79
Charleston, S. C. }	-	-	-	4,552	37
Charleston Neck, }	-	-	-	759	20
New Orleans,	-	-	-	5,050	00
Norfolk, Va.	-	-	-	2,500	00
Savannah, Geo.	-	-	-	2,264	60
Richmond,	-	-	-	1,931	50
Petersburg,	-	-	-	1,702	00
Citizens of New Haven, Con. and Officers and Students of Yale College,	-	-	-	1,573	31
Columbia, S. C.	-	-	-	1,540	00
Raleigh,	-	-	-	1,500	00

Hartford, Conn. and towns in its vicinity,	- - -	1,424 09
Wilmington,	- - -	1,294 20
Newbern,	- - -	1,226 53
Lowell, Mass.	- - -	1,200 00
Augusta, Geo.	- - -	1,200 00
Salem, Mass.	- - -	1,032 37
Cincinnati,	- - -	1,007 22
Natchez, Miss.	- - -	949 50
Washington City,	- - -	810 00

From the Harrisburgh Chronicle.

### FINANCES OF THE STATE.

We extract the annexed items from the Auditor General's report for 1831.

*Summary Statement of the Receipts at the State Treasury, commencing on the first day of December, 1830, and ending the thirty-first day of October, 1831.*

	Dolls.	Cts.
Lands and Land Office fees,	103,329	18
Auction commissions,	12,100	00
Auction duties,	126,504	85
Dividends on bank stock,	106,498	50
Do. bridge, canal and turnpike stock,	34,398	12
Tax on bank dividends,	30,572	98
Do. offices,	7,464	53
Do. writs, &c.	18,979	89
Fees, Secretary of State's office,	448	60
Tavern licenses,	40,146	94
Duties on dealers in foreign merchandize,	51,445	38
State maps,	446	26
Collateral inheritances,	19,062	81
Pamphlet laws,	81	88
Militia and exempt fines,	1,381	41
Tin and clock peddlers' licenses,	1,029	33
Hawkers' and do. do.	1,593	60
Escheats,	20	00
Canal tolls,	38,241	20
Loans,	2,199,948	54
Premiums on loans,	103,196	91
Commissioners of the internal Improvement Fund,	125,000	00
Old debts and miscellaneous,	11,087	66

3,033,978 57

Balance in Treasury on 1st of Dec. 1830, 149,430 79

3,183,409 36

*Summary Statement of the payments of the Treasury, commencing on the first day of December, 1830, and ending on the thirty-first day of October, 1831.*

	Dolls.	Cts.
Internal Improvement,	2,335,373	72
Expenses of government,	195,306	91
Militia expenses,	20,515	72
Members of courts martial,	2,343	28
Pensions and gratuities,	22,226	84
Education,	11,185	13
Interest on loans,	91,525	00
Internal improvement fund,	362,682	40
State maps,	329	75
Penitentiary at Philadelphia,	3,746	53
Do. near Pittsburg,	2,624	25
Conveying convicts,	1,177	96
Do. fugitives,	596	06
Pennsylvania claimants,	56	55
Defence of the state,	107	50
Miscellaneous,	9,128	94

3,058,926 54

Balance in Treasury on 1st Nov. 1831, 124,482 82

3,183,409 36

CANAL TOLLS.—The following is a statement of the Canal Tolls, received on different portions of the Penn-

sylvania canals. It falls considerably short of the estimated amount, not from any miscalculation, but from the unforeseen accident of the spring freshets, doing so much damage to the whole *western division*, as to keep it idle five or six months of the business part of the year.

<i>Eastern Division</i> —From Middletown to Duncan's Island, . . . . .	Dolls. Cts.
	\$13,707 43
<i>Susquehanna Division</i> —Including the bridge at Duncan's Island, which yielded \$3,977 80, 6,192 78	
<i>Juniata Division</i> —From mouth of Juniata to Huntingdon, . . . . .	4,442 98
<i>Delaware Division</i> —From Bristol to Easton, . . . . .	899 43
<i>Western Division</i> —From Johnstown to Pittsburgh, . . . . .	12,998 58
	<hr/> 38,241 20

### TAXES ON UNSEATED TOWN LOTS.

The Venango Democrat states, that at its last term in September, the Supreme court decided upon a case taken from Venango county that an unseated town lots is the subject of taxation, and liable to be sold by the county treasurer for taxes, in the same manner as unseated lands may be sold under the acts of assembly for the sale of unseated lands, for arrears of taxes.

The Democrat adds, "This decision puts to rest the doubts that heretofore existed upon that subject. Many eminent lawyers had entertained strong doubts; indeed had expressed a different opinion; but the law, as now settled, we believe is conformable to the best interests of the country, if not a strict literal construction of the acts of assembly." Can the Editor furnish the Charge of the Court?

### NEW BITUMINOUS COAL MINE.

We have been shown some specimens of Coal, taken from a mine lately opened by a Company in Philadelphia under the superintendence of Mr. Young, which for purity and beauty, equals at least, any Coal we have ever seen. The Coal is of a granular formation, and appears to be formed of such equal proportions of the anthracite and bituminous, as to render it highly valuable for burning in grates. We saw some put into a grate, which burned brilliantly, and did not omit the least perceptible sulphuric or other offensive gas. This coal, like the anthracite, does not become fine by exposure to the weather, as the bituminous does, while it appears to possess all the qualities of ignition that characterizes that mineral. Twenty tons of this coal left here in a Canal Boat, for Philadelphia, on Monday last, where it will undoubtedly meet with a ready sale at a high price.

The mine from which this coal is taken, is in Stoney Creek Valley, six miles from Greensburg, where Stoney Creek empties into the Susquehanna, and fourteen miles from Harrisburg. The vein is said to be 5 feet in diameter, and it is presumed the quantity of coal is abundant, and perhaps inexhaustible. The company are now digging for coal in several places in the valley. From the success that has thus far attended the digging for coal in Dauphin county, it bids fair to rival any part of Pennsylvania. Several mines of the best of coal are already opened on Short Mountain, and active measures are taking to construct a Rail Road from thence to the Susquehanna, of Millersburg. The Geographical situation of these mines and the advantages of transportation which the Pennsylvania canal, and the Susquehanna River afford, must greatly enhance their value over those, of probably, every other section of the state. And it can scarcely be doubted, that Dauphin county, in a few years must rival that of any other portion of the interior of the state, both for its manufactures and trade.—*Pennsylvania Telegraph*.

### MISCELLANEOUS.

**PARTRIDGES.**—At a meeting of the inhabitants of Oxford and Lower Dublin Township, held at Sandy Hill, on Monday evening, the 7th inst. Daniel Walton was called to the Chair, and Jacob Snyder appointed Secretary. The following resolutions were submitted by Mr. Samuel Cornell, which after a brief discussion, were unanimously adopted:—

Resolved, That in the opinion of this meeting, there are at present no more partridges in this neighborhood than are necessary for procreation.

Resolved, That we will neither shoot, ensnare, or in any manner kill any Partridges during the present season; and that we will use all proper means for their protection during the approaching winter.

Resolved, That we will rigidly enforce the law against every person who may be guilty of shooting any Partridges on our property this season.

Resolved, That the proceedings of this meeting be signed by chairman and secretary, and published.

DANIEL WALTON, Chairman.

JACOB SNYDER, Sec'y.

### WILKESBARRE.

**CANAL PROSPECTS.**—On Thursday last arrived from Philadelphia direct, in nine days, the Canal boat "Luzerne," Capt. Buskirk. This is the first complete trip, performed between Wilkesbarre, and Philadelphia, by way of the canal, and cannot fail of tending to confirm the pleasing anticipations of the sanguine advocates of the North Branch Canal. The frequent breaches in the Canal, and other obstacles have so long delayed the navigation of it, as to damp in some measure the ardent confidence of its promoters, and cast a shadow over the bright prospect of success; but this fortunate arrival must reanimate our spirits, and dispel every apprehension.

We are happy to state, that the most active exertions are making to finish the division of the Canal now under contract, as soon as possible. This the interests of the state and of our district of country require to be done. One object in the construction of the canal will be then attained; but it is only one of the countless number. All the advantages cannot be reaped this side of the State line; but the harvest may be sufficiently abundant to disclose the policy of widening our field.—*Democrat*.

**DAM IN THE DELAWARE.**—In the Legislature of N. Jersey, Mr. Sitgreaves, from the committee on the petition relative to the obstructions in the river Delaware, reported by bill, which was ordered a second reading. He also reported a preamble setting forth, That a dam or dams have been erected in the Delaware, near Well's Falls, under the authority of the Canal Commissioners of Pennsylvania, which dam or dams obstruct and injure the navigation of said river, &c.—therefore,

Resolved, That the Governor of this state is hereby authorized and required to inform the executive of Pennsylvania of said obstruction to the free navigation of said river, and to demand an immediate removal of the same; ordered a second reading.—*Millonian*.

Mr. Wolbert's sales of Real Estate, on Thursday evening the 27th of October, amounted to seventy-two thousand eight hundred and sixty-one dollars. The property advertised as part of the estate of the late James Stokes, brought these prices:—Lot No. 1, at the S. E. corner of Vine and Fifth streets, \$2775.—Nos. 2 and 3, N. Sixth street, 63 and 65, \$3700. No. 4, N. Second Street, 442, \$4550. No. 5, six three story brick houses at the corner of McCulloch's court and Front street, between Race and Vine, \$4250. No. 6, at 267 North Sixth street, \$3450. No. 7, at 269 N. Sixth street, \$3100. No. 8, a lot on the North side of

Market west of Schuylkill Eighth street, twenty-five feet front, by one hundred and eighty deep, \$2175. No. 9, on the North side of Filbert east of Broad street, \$4200. No. 10, on the east side of Fifth street between Spruce and Pine, subject to a ground rent of thirty-two dollars, \$5975. No. 11, the N. E. corner of Market and Eighth streets, eighteen feet seven inches on Market, and ninety-six feet on Eighth, \$18150. No. 12, at 93 Green street between Third and St. John, subject to a ground rent of forty dollars, \$1325. No. 13, on Church Lane in Germantown, \$350. The lot in Fifth street between Spruce and Pine, we understand was purchased by the Baptist Church in Spruce below Fifth, and we are chagrined to learn that it will be converted into a grave yard!—*U. S. Gazette.*

**WATER.**—It is a prevailing opinion with many, and one which is generally well founded, that water becomes scarce in a newly settled district in proportion as the timber is felled and the population of said district increases. An exception to the truth of this position is however evidenced in this neighborhood where no diminution of this vital element is perceptible, but on the contrary, the water courses would seem to have increased in magnitude. This unlooked for plenteousness is reasonably accounted for on the principle that in penetrating our mountains for minerals, we never fail to open new sources of a supply. Innumerable tunnels and drifts which every where abound, serve as tributary channels, somewhat to the dissatisfaction of their owners, to our smaller streams, and hence the obvious accumulation of the contents of the latter. We have noticed this subject in the belief that the phenomenon with its plausible explanation, may not be as extensive. ly known at home and abroad, as its importance demands.—*Pottsville Miners' Journal.*

#### IMPROVEMENTS.

**PARCHMENT MANUFACTORY.**—A Parchment Manufactory has been for some time established by Mr. *Brick*, lately from Philadelphia, in our borough, the business of which has yielded a remuneration equalling the most sanguine expectations of the proprietor, owing to the advantage in the price of fuel derived from this locality. We have specimens at our Office, which we consider of superior quality, being unusually free from stains and blemishes, and presenting a beautiful and equal surface. These we should be happy to exhibit to any of our friends who may favor us with a call. The owner of the establishment informs us that he is enabled to send his parchment to Philadelphia and dispose of it in that city at a good profit, the charges of transportation being more than counterbalanced by the diminution in the cost of fuel and house rent at this place. This statement, which is corroborated by frequent practice, is entitled to full reliance, and the result is as conclusive as the knowledge of it is important to those who are engaged in business elsewhere, under less favorable circumstances.—*Miners' Journal.*

#### DUNDAFF, Susquehanna Co. Nov. 18.

The Glass Factory, belonging to Phelps, Plimny & Co. in this borough, is now in the "full tide of successful operation." During the week ending Monday the 14th, there were made fifteen thousand twenty-five hundred feet, or 350 boxes 8 by 10 glass. The quality of this glass is represented to us by blowers and others to be of the very first quality.

There are erected for the different processes of glass making, five buildings, the largest of which is 120 feet by 40—another of which is 60 by 55. The buildings are all conveniently located, and the furnace, flattening ovens, drying ovens, &c. probably for durability of materials, and strength of workmanship, are not surpassed by any in the country.

It is a matter of much credit to the enterprize of this company, and of much interest to our citizens generally, that this factory has been established. On the first of April last, the timber, of which the buildings are constructed, was growing in the forest; the stone was lying in the quarry; the clay unburnt in the earth, and the sand, the principal article in the manufacture, untried in the lakes.

It is for the encouragement of such enterprizes as this that the friends of home industry aim. Twenty years ago, nearly all the glass used in this country was imported from abroad, and that too at an expense exceeding the present price of more than four fold.—Every thing that tends to bring into use our hitherto untapped sources of wealth must be an advantage to our citizens—more especially when the wood of our forests, and the sand of our lakes, give a new impulse to the industry of our inhabitants.

A few days since, curiosity induced us to call at the factory of MESSRS. GEORGE FABER & SONS, in Wood st., to examine their machinery for making Cotton and Horse Cards, and we were greatly surprised and gratified. They have in operation six or eight machines, each turned by a small boy. Each of these machines supplies itself with the wire from a reel, pierces the holes in the leather for the teeth, forms the teeth, inserts them in the holes, and gives the necessary angle, at the rate of from one hundred and sixty to two hundred teeth per minute.

The rapidity and accuracy with which these machines operate are truly surprising, and surpass any thing that we have ever witnessed. The machinery, we are told, is different from and less complicated than that invented by Whittemore, and the cards manufactured by it, we are assured, are preferred, by some of our manufacturers here, to any brought from the eastward.

Messrs. Faber & Sons, intend to erect a steam engine to drive their machinery in the spring.—*Pittsburg Gaz.*

**STRAW PAPER.**—There is now being erected in this borough, by a Company of our citizens, a Mill House, 150 feet long, 50 wide, and three stories in height, in which it is contemplated to place eight machines, for the manufacture of Straw Paper. It is situated on the site of the old paper mill, and will require nearly all the water power of the Falling Spring. This extensive establishment is expected to be in operation early the ensuing spring—when disbursements for the raw material, workmen, transportation, &c. of an immense amount drawn from a distance for the product of its labour, will diffuse wealth and activity in our community. We wish the enterprising proprietors success in their undertaking.

[*Chambersburg Repository.*]

In Chester County on the farm of Thomas H. B. Jacobs, Esq. of about 150 acres, he has a stone barn, 100 feet long, with stabling under the whole, divided in the most convenient manner, for stall feeding, milk-cows, oxen, horses, colts, sheep, &c. It has two threshing floors, one smooth as any ball room in Richmond, and here, young and old, at Harvest Home, "trip it on light fantastic toe" to "the sweet sound of tamborine and viol." On the plantation adjoining, belonging to Mr. J. B. Remington, there are two new elegant stone barns, the length of the two exceeding 100 feet.

While we boast of our farming, we must repeat again and again, the secret of our prosperity. It is a regular rotation of crops, making a little of many articles, rather than attempting to make much out of one; remembering the Scotch proverb, that "many a mickle makes a muckle";—together with heavy liming—LIMING—LIMING. Many farms here, of an hundred acres, have had from 3 to 6,000 bushels of lime each, within the last ten years.



We wish the Price-current makers in all our cities, would state the price of lime per bushel—or if by the cask, mention the number of bushels the casks hold. When the Valley Rail Road shall be completed, Chester County will pour a million of bushels into the city for exportation, if there is a demand abroad; and when Anthracite Coal comes down to its minimum.

[*Village Recorder.*]

### WEATHER—SNOW.

By the following notices, it appears that the storm which visited Philadelphia but lightly, on the 21st and 22d, was much more severe in other places.

On Monday night and Tuesday morning last, snow fell at this place, (Towanda, Bradford co.) about a foot in depth, and the pleasures of a sleigh ride were enjoyed by a goodly number of our citizens on Tuesday and Wednesday.

#### BLOOMFIELD, Nov. 24.

**THE STORM.**—The storm of last Monday night and Tuesday morning, was as unexpected as it was violent. It commenced in the early part of the evening, with what was considered rather a warm heavy rain. Towards 10 or 11 o'clock, the wind blew a hurricane from the north west, accompanied with torrents of snow, which was driven into heaps in some places on the road, to the depth of one or two feet. So fierce was the wind, that large trees and saplings, in great numbers, were twisted off, and others blown out of root, which, together with the innumerable limbs of trees thrown on and across the public roads, they have been for the last two or three days rendered almost impassable. Much damage, we learn, has been done to timber and orchards. —*Perry Forester.*

**GERMANTOWN.**—Ice, one-fourth of an inch in thickness, and the ground considerably frozen—on Saturday morning last, (20th.)

We had quite a copious fall of snow, on Monday night and yesterday morning. But for the rain, which in part accompanied it, the ground would have been covered several inches. The weather is very rough and chilling, and bespeaks the near approach of the northern blast.

#### POTTSVILLE, 22d Nov.

**SNOW.**—On Tuesday last this part of the country was visited with the first snow which has fallen during the present season. The storm commenced before dawn, and continued with intervals of rain throughout the day. The depth of the snow was several inches,—the mountain tops and unfrequented spots continue to display a white covering. On the Broad Mountain, a distance of five miles above us, sleighs were abroad, one of which visited our borough and returned home.

Deer are numerous in our neighborhood.

**LEWISTOWN.**—On Monday night, 21st, we had a severe snow storm—snow fell during the night ten inches deep.

**SOMERSET.**—Snow fell in this borough, to the depth of four or five inches, on the 21st and 22d.

**WILKSBARRE.**—Snow fell in this vicinity, on Tuesday morning last, 22d.

A more delightful season of pleasant weather, than was embraced within two months previous to Monday the 21st inst. we believe has seldom been known in this climate. On the evening of that day, it commenced raining with a southerly wind, but before morning, the wind veered round to the north-west, and it began to snow quite fast, the storm raging with great fury, which

continued till the next night. It was quite an unexpected sight to awake and find the hills covered with a white mantle, it being the first warning of winter's approach we have had. As yet we have not heard of any damage on the river; but on the sea-coast, if the storm extended there, we think some injury must have accrued. The weather now is more mild, although the air is very piercing. —*Columbia Spy.*

#### HARRISBURG, Nov. 23.

**The Storm.**—It commenced raging on Monday last, 21st, about five o'clock, P. M., wind S.W. and continued without ceasing until about 11 o'clock, when the wind changed to the N. W. A heavy fall of snow commenced before 12, and continued with high wind until about 8 o'clock, on Tuesday morning.

This morning the snow and ice, give our streets the appearance of winter.

**BELLEFONTE.**—On Monday night last, snow fell in this region of country, to the depth of three or four inches.

By referring to the Register of the winter weather which we published in our 2d vol. pages 23 and 383, from the first settlement to the year 1828, we find the following notices, which show, that the late severe weather in November, is not unprecedented.

"1809, Nov. 24.—Strange to tell to future generations, snow about one foot deep, and tolerable good sleighing, a circumstance not known for many years if ever, in this land.

25.—Sleighs and sleds in market—this morning at sun rise, the river Schuylkill, above and below the permanent bridge, was frozen over; a similar circumstance has not occurred for many years at so early a period.

30.—Skim ice.

1810, January 19.—Lowest tide for 14 years.

20.—Ice in the Delaware for the first time this season—being the most open recollected for many years, there not having even been skating on the ponds.

21.—Delaware closed—boys skating on it and the ice did not disappear till 11th February.

November 1.—First snow, also on 2d, 3d and 4th.

1812, November 19.—Snow.

1828, November 14.—Slight snow."

1831, December 1.—A snow storm commenced last evening, and covered the ground—nearly all disappeared during the day.

On the 22d of February last, the ice in the Ohio and Monongahela rivers moved so as to permit the commencement of navigation for the season. Since that day, nine months have elapsed, and during this time navigation has continued without interruption.

**CYPRING SLATES.**—At Delaware Water Gap, 20 miles above Easton, in Bucks county, where the rocks are piled up 1,200 feet high, James M. Porter has a manufactory of Cypring Slates, operating by water power. They are smoothed, framed ready for sale, superior to imported ones, each in two minutes. Last year it made 4,200 dozen slates; and will finish 5,000 dozen the present year.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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*From the West Chester Republican.*

## GEN. WAYNE'S TELESCOPE.

We notice with pleasure, that a valuable reflecting Telescope, the property of the late distinguished Major Gen. ANTHONY WAYNE, has recently been presented by his son the Hon. ISAAC WAYNE, to the Cabinet of Natural Science of Chester county. Col. Wayne having intimated his desire of presenting the above instrument to some public institution in the native country of his illustrious father, the following correspondence took place between him and a committee appointed for that purpose on the part of the Chester County Cabinet.

Hon. ISAAC WAYNE:

Dear Sir—Some of the members of the "Cabinet of Natural Science, of Chester county," have more than once heard it kindly as well as particularly intimated by you, that you desired to bestow upon some public institution of the county of your illustrious father, the very Telescope which was *his own, his used and approved* instrument—and your partiality for the borough of West Chester, and its inhabitants emboldened the Cabinet, at their stated meeting on Saturday last, (the 17th,) to appoint the subscribers as a committee to correspond or confer with you on the subject.

There are three incorporated literary institutions in West Chester, in all of which the subscribers have an interest, the "West Chester Academy," the "Chester County Athenæum," and the "Cabinet of Natural Science." Without presuming to direct the course of your bounty, we would respectfully say that in our opinion the latter institution presents considerations which we beg leave to submit. It was formed a few years since by the voluntary association of a few gentlemen animated with a desire to improve themselves in Natural Science, which in its wild extent embraces the knowledge of all created things in "the earth or in the heavens," and to collect a museum of specimens and models, and of books and illustrative instruments: already is collected a valuable museum of nature in her botanical, animal and mineralogical products, some very valuable books, and other articles of curiosity and utility; and we contemplate to add to our means of knowledge, as our abilities shall warrant it, some other necessary aids to investigation, such as optical and astronomical instruments—in this point of light we should consider and cherish the *Telescope of General Wayne*, not only as a relique of that great man, and shining ornament of our country, and as sacred to his memory, but as a highly prized addition to our means of knowledge.

The Cabinet found their effects and donations to increase in interest and value so rapidly that, nearly a year ago, a Charter of Incorporation was obtained to secure perpetual succession, and the protection of their property: and if you should, in your kind and patriotic disposition, think us not unworthy of your bounty, we can only promise thankfully to receive, carefully to preserve, and faithfully transmit to posterity, the choice and approved Telescope of Gen. Wayne.

We would be glad to have the liberty of engraving upon it, the venerated name of its former owner, and

that of the kind giver, in suitable terms: in this, however, we shall be entirely governed by your will.

With perfect respect, we subscribe ourselves,  
WILLIAM DARLINGTON,  
ISAAC DARLINGTON,  
ROBT. B. DODSON,

West Chester, Sept. 17, 1831. *Committee.*

Waynesborough Farm, Sept. 25, 1831.

GENTLEMEN—Your address of the 17th inst. I yesterday had the honor to receive.

Every relique of the late Major Gen. Wayne has been, and ever will be, very precious in my estimation. The Telescope, which I shall, speedily, have the pleasure to transmit, is not among the least of the highly prized *mementos* of the General; and what stronger proof could I offer for the sincerity of this assertion, than the transfer of that instrument to the "Cabinet of Natural Science," located in the beautiful borough of West Chester, so distinguished for the worth, talent, and enterprise of its inhabitants.

I am perfectly convinced, gentlemen, that you will "thankfully receive, carefully preserve, and faithfully transmit to posterity, the chosen and approved Telescope of Gen. Wayne."

I very cheerfully give my assent to your engraving upon the Telescope the commemorative words which you have mentioned, and permit me to tender my grateful acknowledgments for this additional evidence of respect towards the General, as well as his son.

I wish all possible prosperity to your literary and scientific institution, to you, gentlemen, individually, and the other members of the Cabinet, each of whom I flatter myself, will consider me truly and sincerely his Friend, and obedient servant, I. WAYNE.

WM. DARLINGTON,  
ISAAC DARLINGTON,  
ROBT. B. DODSON,  
Committee of Cab't of Nat'l Science, &c.

West Chester, Nov. 24, 1831.

DEAR SIR,—It becomes our grateful duty, by order of the "Chester County Cabinet of Natural Science," to express to you the deep sense which is entertained, by that institution, of your munificence, in presenting to it the valuable *reflecting Telescope*, heretofore, a favorite instrument of your father, the late Major General Anthony Wayne.

Rest assured, sir, that the Chester County Cabinet will faithfully preserve a donation which will constitute, at once, a *memento* of the distinguished services of the sire, and the patriotic liberality of the son; and we cannot for a moment doubt, that our successors will continue to guard it, as a precious relique of the Hero and Patriot, whose name for ever adorn the annals of our republic, and reflect a special lustre upon this, his own native county of Chester.

With sentiments of the highest respect and esteem, we have the honor to be your friends and fellow citizens,

WM. DARLINGTON,  
ISAAC DARLINGTON,  
ROBT. B. DODSON,  
Committee of C. C. C.

Hon. ISAAC WAYNE.  
Chester county, Pa.

ADDRESS OF THE  
**FRIENDS OF DOMESTIC INDUSTRY,**  
*Assembled in Convention at New York, Oct. 26, 1831,*  
 TO THE  
**PEOPLE OF THE UNITED STATES.**  
*[Concluded from page 358.]*

We ask the attention to another topic. Revulsions in trade are unavoidable: the balance of supply and demand cannot always be regulated with precision. There is a tendency, growing out of the prosperous commerce, to push success to an extreme which produces reaction. To these periods of embarrassment, of general stagnation, and severe pressure for money, the United States have been peculiarly subject. We attribute this in a great measure, to our having depended, in so great a degree, for our manufactures, upon the nations of Europe. Importation is induced more frequently by the necessity or hope of the manufacturer to find a market, than by actual reference to the wants or means of the community. A reduction in the prices of exports, following an excessive importation causes a state of exchange which leads to an exportation of specie; the moment this exportation touches that portion of the precious metals necessary to sustain the money circulation, the operations of the banks become embarrassed, and distress and dismay are spread through all classes of the community.

We believe that the system which furnishes a nation with manufactures, essential to its daily wants, from its own industry, is the best possible security against violent changes in its currency—changes which paralyze all industry, and disturb all trade; and we therefore submit to the experience and judgment of the American people, whether the protective system is not, in this particular, more advantageous to the country than that which, after deluging our markets with foreign manufactures, draws from us, in return, not a useless commodity, but the instrument by which our exchanges are performed, the very basis of our bank circulation, the essential principle of commercial confidence.

Mistaken opinions in regard to the effect of the tariff upon the prices of commodities used in the United States, upon which the protective system has been brought to bear, have furnished some popular objections against the wisdom of the policy. It has been said that the effect of a duty is necessarily to increase the price of any article upon which it is laid to the full amount of tax. It would be easy to show, by a minute survey of the whole field of American industry, that, so far from this being true, the invariable operation of the tariff has been to lower the price to the consumer of every article that has been successfully manufactured under the protection. Such a survey would require more detail than the purpose of this address allows, but we propose to examine the operation of the tariff upon some of our most important staples.

In the article of cotton, it is admitted, that our manufacture has arrived at such perfection, in the production of the coarse fabrics, that they are not only furnished at a little more than one half of the cost which the imported articles of the same kind bore a few years ago, but they are produced as cheaply at the present time, as our foreign rivals, under all the excitements of American competition, are able to furnish them. They have had a constant and increasing demand for several years, for exportation as well as for home consumption. None but the finer qualities are now imported, which are little, if at all affected by the minimum duty. The price of raw cotton has fallen but a cent a pound within the last four years, whilst the price of cotton goods—of sheetings, for instance, of more than three yards to the pound—has fallen nearly four cents a yard within the same period. Satinets, of wool and cotton, are made at

less than one half the price of cassimeres, and are more durable. Cotton flannels formerly imported from China, at from fifty to sixty cents a yard, are now made, of a better quality, here, at from fifteen to twenty cents. Indeed we might enumerate every species of manufacture in which this material enters as a component part, to show that both in the character of the article and the cheapness of its price, the country has been a great gainer since the enactment of the system that has produced its fabrication.

To the cotton planters of the United States, the system has undoubtedly yielded the most decisive advantages. It has created a certain valuable market for about one-fifth of her crop, and it has encouraged the consumption of large quantities of their staple, in fabrics to which it never would have been applied, if the manufacture had not been carried on in our own country. The establishment of cotton mills amongst us has had the most visible tendency, to induce our manufacturers to apply cotton to uses which both the policy and the position of foreign manufactures, would have forever forbidden them from adopting. This fact is conspicuously seen in the application of cotton to sail cloth, and to all those articles of heavy clothing, in which it has lately been substituted for wool. It is now manufactured into carpets, blankets, cordages, twine, net work, and a variety of other commodities, that may be said to be exclusively of American origin. Cotton being a product of our own soil, we have naturally an interest to extend its application to new uses, above what might be expected from other nations who are mere purchasers of the article, and who are as much, if not more concerned in preserving, and promoting the use of wool and hemp, in the fabrics to which we have applied our cotton.

Let us next consider the article of Iron, and we will introduce the notice of it with a quotation from that masterly report of the first secretary of the treasury, which, forty years ago, recommended prohibitory duties, in favor of manufacturers of this article:—"for" says the report, "they are entitled to pre-eminent rank. None are more essential in their kinds, none so extensive in their uses. They constitute, in whole or in part, the implements or the materials, or both, of almost every useful occupation. Their instrumentality is every where conspicuous. It is fortunate for the United States, that they have peculiar advantages, for deriving the full benefit of this most valuable material, and they have every motive to improve it with systematic care. It is to be found in various parts of the United States, in great abundance, and of almost every quality; and fuel, the chief instrument in manufacturing it, is both cheap and plenty." This report, which is a treatise on political economy, at least equal to any thing that has appeared since its publication, states that the average price of iron before the revolution, was about sixty-four dollars per ton, and that at the time of that report it was about eighty dollars. Soon after, it appears to have risen to ninety-five dollars, and in 1814, was as high as one hundred and fifty dollars. After the ineffectual tariff of 1818, which ruined numbers, induced by its vain protection, to make investments in the manufacture of iron, it rose from ninety to one hundred and five dollars per ton. Under the influence of the acts of 1824 and 1828, it has declined to its present prices of from seventy-five to eighty-five dollars per ton, and there is every reason for the confident belief entertained, that if our own market be protected against the formidable and incessant endeavours of the British manufacturers to control it, the price of iron will, before long decline at from fifty to sixty dollars per ton. Such is the irrefutable proof of all recent experience. Cut nails, which in 1816, sold for twelve cents per pound, are now sold for less than half that sum, under the permanent security of five cents per pound, which has given our manufacturers their own market. "The United States, (says Hamilton's report before mentioned) already in great measure, supply

B. A. Mitchell.



themselves with nails. About one million eight hundred thousand pounds of nails and spikes, were imported into the United States, in the course of the year ending the 4th of September, 1790. A duty of two cents per pound, would it be presumable, speedily put an end to so considerable an importation. And it is in every view proper that an end should be put to it."

Bar Iron which sold at Pittsburgh in 1829, at \$122, sells there now at \$95. Castings which were \$63, are now 50 per ton. Such are the practical results, proving the operations of the tariffs on the markets for iron. The duty by the law of 1816, was so inadequate as to cause nothing but ruin to those concerned, and enhancement of price to the consumer. The act of 1818 was some amelioration; the acts of 1824 and 1828, which increased the duty, decreased the price. Hammered bar iron, under a duty of twenty-two dollars and forty cents a ton, is at a lower price than when under a duty of nine dollars a ton, and improved in quality from five to ten per cent. by the greater care and skill which more extensive investment has naturally created under more certain protection. The efforts of the English manufacturers to destroy the American manufacture of iron, and possess themselves of our market, have occasioned extensive bankruptcies amongst them in England, and reduced the price of iron considerably below the cost of manufacture; inasmuch that a convention of iron manufacturers, recently held there, resolved to reduce the quantity made, twenty per cent. throughout the United Kingdoms. With the control of our market, they would infallibly regulate both the price, and the quantity of the iron in this country—thirty-one establishments of which have appeared in Western Pennsylvania alone, since the last tariff acts.

The influence of protection upon wool, while it has been most beneficial upon the farming states, has had no tendency that we are aware of, to injure the plantation states. The number of sheep in the United States, is computed at about twenty millions: and their increase at about five millions since the act of 1828, which gave a great impulse to the stock. The farmers of Virginia, Pennsylvania, Ohio, New York, and other wool-growing states, have an interest in this national property, taken at fifty-five cents per lb. nearly equal to the capital of the plantation states, in the cotton crop of this year, reckoning at thirty millions of dollars. There is no doubt that within three years to come, the farming capital in wool, will be more valuable than the plantation capital in cotton. Without protecting duties, American wool would be reduced one-half in quantity and in price. The large flocks which now cover the immense and inexhaustable pastures of the United States, most of them more or less of the fine Spanish breeds, would be again slaughtered, as has been heretofore the case, for want of due protection, and this great capital in fleece sacrificed to that of cotton, with enormous loss to one interest, and with no possible advantage to the other. For like every thing else, woollen goods have fallen from twenty to twenty-five per cent. since the last tariff. The immediate effect of that act, by calling a large number of additional clothiers into active enterprise, was to cause a decline in prices, ruinous to many of those before engaged in the occupation. Under the influence of the improvement in the price of wool, woollen manufacturers have rallied again, but, at least as respects them, the charge of monopolizing prices is a cruel mockery. The advantages of the tariff, in its operation upon wool, have thus far been confined almost exclusively to the farming interest; the manufacturers have yet all their way to win, and the effect of that competition, which is the result of protection, cannot be known until it has had longer time for operation.

The finest cotton and woollen manufactures are not much made in the United States, but we may assert without fear of contradiction, that nine-tenths of the American people, who do not affect foreign luxuries

and fashions, may be clothed with woollen, cotton, fur, and leather fabrics of their own country, better and cheaper than either could have been obtained abroad, if the tariff had never been enacted. The greatest mistakes prevail in this respect; it is continually said, that hats, coats, boots and other articles of dress, are dearer here than elsewhere. Such is not the case with all those who are independent of foreign fashions. Those who enjoy superior wealth, and study superior elegance, are at liberty to gratify their caprice, at that additional expense which such a gratification costs in all countries—in none more than in Great Britain, where the opulent and noble are in the habit of paying more extravagantly for French, Asiatic and other luxuries, than some of our opulent citizens choose to pay, in like manner, for luxuries imported from abroad.

Whilst we assert that it has been the effect of the protective system, to benefit the consumers by giving them manufactures cheaper than they had them before, we are willing to admit that prices have had a correspondent fall in the same articles abroad; but this fall of price abroad has been the result of the competition of American labor. It is impossible to advert to the fact, that the United States export to foreign markets, six times the quantity of domestic manufactures that they exported in 1820, and at present furnish incomparably the largest share of the home demand, without perceiving the tendency of such a competition to reduce the price of the same articles amongst all those nations who aim in supplying us.

But we hold it to be a common error, to consider the comparative cheapness of the foreign and domestic commodity, a test of the value of the system. Even if it were true, that the domestic product were not reduced in price, and were to be procured only at a higher cost than the foreign, still the benefit of the system would be found in the fact, that it enables the domestic consumer to afford the higher price for the manufacture, and thereby to furnish himself on better terms than he could have done when obliged to depend upon the foreign imported commodity—that, in other words, the increase of price, if it has taken place, cannot be called a tax upon the consumer, if the same system which has increased the price, has also increased his means of paying it. That this increased ability to pay has occurred to a most beneficial extent, is evident in the invigorated condition of our agriculture in the last three or four years, during which period the value of the labor of the farmer, and with it the value of his land, it is well known, has risen some twenty or thirty per cent. This augmentation in the value of agricultural labor and capital, can be ascribed to no other cause, than to the increase of the manufacturing classes, and to the rapid growth of our home market under the protective system. During this period, there have been no wars to create a demand abroad for our grain, but on the contrary, all the producing nations have been exerting their industry to the utmost, and maintaining a rivalry against our own citizens, which would have visited them with the most disastrous consequences, if they had not found a steady and valuable market at home. The fact, too, that agricultural products have risen whilst manufactured goods have fallen, furnishes the best proofs that the fall of prices is to be mainly attributed to the competition of domestic labor.

The loudest complaints of oppression proceed from the South, particularly from South Carolina; but that these complaints are not owing to the tariff acts, is unquestionably proved by the fact, that their public press, their memorials to congress, and other mediums of complaint, were as much burthened with them before those acts, as they have been since. In the acquisition of the extensive and fertile territories annexed to the United States, by the purchase of Louisiana, the lands and property of the plantation states, could not fail to be depreciated by a vast accession of lands, at least as fertile, for all similar purposes. But it is inconceivable

how a steady market for at least two hundred thousand bales of cotton a year, liable to a fluctuation from foreign influence, can be injurious to the cotton growing states; and, certainly, is the inhabitants of the less exuberant and more industrious latitudes of the central and eastern states, were not, from the influence of climate, or some other cause, less liable to excitement, and less addicted to complain than their southern brethren, they have had much greater cause for it.

The article of sugar is a production of the planting states, receiving the full benefit of the protecting system. If any application of the system operates as a tax on consumption, it would apply to the duty on sugar. It is true, the cotton planters of South Carolina will not admit, that protection to the cultivation of sugar is any offset to their own fancied oppressions, but it is apparent that the lands and capital devoted to the cultivation of the sugar cane, are so much of both withdrawn from the cultivation of cotton, relieving the culture from the effect of over production, the only evil which it has any reason to fear.

The bread stuffs, lumber, and nearly all the other staples of all the grain growing states are excluded from European markets by prohibitory duties. Whilst the export of cotton has quadrupled, that of breadstuffs has diminished in a much greater ratio, with relation to the population of the states that produce them. If instead of spending their time in unavailing complaints, they had not conformed to circumstances, and turned their attention to manufactures, their grievances would have been infinitely greater than any of which the southern states have ever complained. Nothing could relieve the farming interests of the middle states, but their own manufactures and the manufactures of the eastern states. They alone supply that market which Europe denies. In addition to the incalculable consumption of breadstuffs, by the manufacturers of the grain-growing states, what is equivalent to a million of barrels of their breadstuffs, is imported every year into the eastern states; a relief, without which, the susceptibility of these states, would have been tried to a degree of endurance far beyond that exacted from their brethren of the south. It cannot escape observation, that while their sufferings are announced in most eloquent language, and in unintermitting remonstrance, yet there has been so little specification of the supposed causes, that it is denied by many, among themselves, that they suffer at all. There is even good reason to believe, that within the last five years, the interest on planting capital has been more productive to the owner, than the interest of the same amount of capital employed to manufactures.

The states of New York, Pennsylvania and Ohio have invested a capital of enormous amount, which may be reckoned as at least fifty millions, within the last ten years, in what are called internal improvements, canals, rail-ways and other facilities of transportation. This capital depends entirely upon domestic industry for its fruits. It would be a dead loss to four millions of people who have expended it, and might as well be abandoned at once, without the protective duties of domestic industry for its returns. Foreign commerce can yield it little or no service; and to destroy those guards which secure to it the home market, would be to render it altogether a useless expenditure. Foreign commerce would in this way, lose one of its most productive resources.

In our review upon the operation of the tariff, upon the various interests of the several states, it must never be lost sight of, that the one-fifth of the cotton crop which is consumed at home, for which we may estimate the sum paid at six millions of dollars, is, in the course of a very short time, worked up by manufacture, to at least thirty millions of dollars, which is the worth of the raw material wrought into the various articles produced by manipulation: thus one-fifth of the crop of cotton manufactured, becomes as valuable as the whole cotton crop, in the short space of six months after its purchase; and,

in the mean time, diffuses competency and comfort amongst large numbers of the laboring classes of the community.

The policy of the protecting system is happily and amply illustrated in the growth and prosperity of the United States. The union teems with proofs of its wisdom. All that Hamilton's masterly report predicted of its benefits, has been unfolded, and its progress beyond the most sanguine anticipation. All the objections refuted in his argument, have disappeared in experience. The antagonists of the system, not long since declared that it would infallibly diminish, if not destroy the revenue, and compel a resort to loans and taxes, for the support of government—their present complaint is that revenue is excessive. Redundant importations, some year ago, imposed the necessity of a loan; the manufacturing establishments now spreading throughout the United States, sustain their agriculture, have revived their commerce, have vastly increased their coasting trade, and domestic exchanges, and have mainly contributed in an abundance of the precious metals; they are the stablest pledges of independence and permanent peace, and the most accessible objects of taxation and productive resources in case of need.

It was said, that high duties would demoralize the commercial character of the United States, and the evils of smuggling are still insisted on, and depicted in the most prominent colors. We know of no smuggling; nor do we believe that it exists to any considerable extent. It is true, frauds have been practised upon the revenue laws to a degree that demands the notice of government; but we are happy to have this opportunity to bear testimony to the high and honorable character of our merchants, and to say, that where frauds have been discovered, they have had their origin with those, who are alien to our clime, our laws, and all the considerations connected with our welfare. They are frauds that effect, comparatively, but a small portion of that vast amount of labor that owes its support to the protective system.

It was affirmed, that this system would undermine commerce and ruin navigation; but they flourish and prosper beyond all expectation. It was to create a monied aristocracy! if aristocracy be possible with our institutions, it certainly has not found an abiding place amongst manufacturers. It was to inflict a class of paupers upon our population: no such class exists among the industrious. It is still denounced as taxing the many for the benefit of the few: but the many, with the power in their hands to change it, are its sturdy friends and supporters, proving that they, at least deem themselves gainers by the system; whilst the few, on the other hand, never cease to tell us of the grievance of being subject to the majority.

A rapid increase of population, dwellings, culture, of the comforts of life and the value of property, wherever manufactures prevail, bespeak their capacity to diffuse happiness and wealth. The new industry that has been brought into existence, has induced the consumption of increased amounts of the productions of the land, and has added to the prosperity of every class of agriculturists. During the last six years, under the benefit of protection; four hundred sugar plantations have been added to the three hundred previously existing in the state of Louisiana, which now supplies two thirds of the demand of the whole Union. In the mean time, the price has been continually falling, and there is every reason to believe that, within a short period, besides furnishing the home market, our planters will have a surplus for exportation.

Our warehouses, workshops, and stores, abound with excellent and elegant wares of American fabrication, almost excluding those from abroad. Silver and plated ware, the richest glassware, porcelain, household furniture and pleasure carriages, every article of woollen and cotton clothing, copper, brass, and tin wares, hardware, arms of all sorts, saddlery, and every thing else

made of leather, drugs, paints, and oils, tools, utensils, and implements of all sorts, every kind of machinery, from the smallest instrument of cutlery, to a steam engine; nearly every thing that can be made of wood; iron, wool, cotton, glass, furs, and precious metals, whatever ministers to comfort, and most of the luxuries; all the substantial and ornamental means of habitation, subsistence, transportation by land and water, clothing and defence, are to be seen in every street, of every town, in every stage of process and transition, from the raw materials, which are abundant and excellent, to the removal of the finished articles to distant places of purchase. The principal commerce among the several states of the Union, is employed in the transportation of domestic manufactures, and managed by domestic exchanges, which have increased above all computation within the last few years. They ensure domestic tranquility, provide for the common defence, and promote the general welfare, by bonds stronger than any political ties; infinitely stronger than armies or navies. Protection to these resources is, as it were the providence of our political being, ever guarding the industrious citizen, while adding to the nation's wealth. Without that Providence not a laborer, nor an artisan, whatever his calling, but would be straitened and brought to ruin. Distress would be intense and universal. Stop the loom and the plough, would work in vain; the ship would be unfreighted, and universal stagnation would succeed to the present healthful activity of our land. Is there an American who would raise his ruthless hand against the system which prevents such a calamity? who would recolonize his country from an unnatural disgust for its own production and morbid preference for those of Europe? who would bow before the woolsack of England, but spurn the golden fleece of his own soil?

Aversion to manufactures has engendered of late, bitter local prejudices in parts of those states in which they do not flourish. Not long ago, their promotion was in universal favor. When the venerable survivor of the framers of the constitution, took the oath of fidelity to it, on commencing his illustrious presidency, the whole nation thought that he proved his patriotism by being clothed in a suit of American broad-cloth. To doubt the constitutionality of protecting manufactures was not then conceived. Even to question the policy of promoting them, was limited to very few. The statesmen and the patriots of the South, were among the foremost to vindicate both.

The general pacification of 1815, exposed our market, to the overwhelming force of English capital and skill, with more fearful odds than we had to contend against in the hostilities then closed with Great Britain. The inflexibility of her restrictive system, and the exuberant resources of our country for manufactures, alone enable us to withstand the great influx of our fabrics, and constrained us to protect our market by that system, which has led to our present prosperity. It is the cotton growing states who would subvert this prosperity, and lay us once more prostrate before the power of our rival? Those states, who, for the article of cotton, enjoyed a duty which did not merely *promote*, but absolutely *created* its culture? a tax upon all other states, which was represented as a grievance by the report of the Secretary of the Treasury, in the very infancy of our government? a tax which diverted labor and capital into new channels for the exclusive benefit of those states, at the expense of all the rest? a tax which had not the remotest connexion with the revenues of the country, but was imposed merely for protection? Is it, above all others, the state of South Carolina that can complain of a protective impost, while she enjoys a heavy duty on indigo, which she has ceased to produce, and which, therefore, all the manufacturing states pay, under circumstances aggravated by the fact, that while they are obliged to submit to this tax on an article indispensable to their manufactures, the very state for

whose benefit it was imposed, declines to cultivate the article?

By a special resolution of this convention, an inquiry was directed into the moral influence of our manufactures;—in compliance with which we feel authorized to say, in a word, that the imputations sometimes cast upon the morals of manufacturing communities, have proved, according to the experience of this country, to be without the slightest foundation. On the contrary, it is believed, that the moral and religious education of those employed in manufactures is, at least equal, if not superior, to that of other classes of the community.

In concluding this address, we would take occasion to observe, that the present posture of the affairs of the United States, impresses upon us the necessity of declaring what we believe to be the sentiment of the friends of American industry, in reference to a great question which must in a short time, occupy the attention of congress. Up to this period, the revenue of the government has not exceeded its wants. The debt has required a system of duties, that would supply at least ten millions of dollars every year towards its extinguishment. That debt, under the present course of liquidation, will soon cease to exist. The nation will then naturally expect some deduction of duties. Participating in the common feeling on this subject, we cannot close this address, without respectfully submitting to public consideration, the expediency of applying that reduction to such commodities, as are incapable of being brought within the scope of the protective system; holding it, as we do, to be indispensable to the best interests of the American people, that that system should be sustained and preserved, without diminution, in its application to every branch of domestic industry that may be benefited by its influence.

Thus, fellow-citizens, we have submitted to your consideration our views of the construction upon the great question of protection. If it be the true one, you will sanction and sustain it: if it be otherwise, let it be rejected; for the constitution is the supreme law.

We have also, submitted our view of the true policy of this country. We have stated and urged those principles, on which the system of protection rests, which we believe to be supported by the maxims of a sound philosophy, the experience of mankind, and our own. It remains with you to determine, whether that system of protecting your own industry, under which you have long advanced, and are now prospering, shall be continued or abandoned; whether you will hold fast to that which your experience has proved to be good, or yield yourselves the victims of rash and untried theory. That nearly five hundred of our fellow citizens should convene, from sections of the country, more than five hundred miles apart, to consult on these engrossing subjects, is itself an argument of the deep solicitude felt by the country at large, in their discussion. To have separated without vindicating them, would have been a desertion of the trust committed to us. Their importance, required that fulness of consideration, which an enlightened and reflecting people have a right to demand. It has been our study, to adhere to the utmost accuracy in our statement of facts, and to exercise the most perfect candor in our arguments. We therefore, invite the strictest scrutiny to what we submit, whilst we are sensible that, with the advantage of more time, than the session of the convention has afforded, it might have been presented in a more finished form. Deeply impressed with the gravity of the subject, and the momentous aspect of our national concerns, we trust that our language has never departed from that tone of conciliation which becomes citizens of the same country, differing from their brethren upon great questions of national policy.

But let us bear constantly in mind, that the Union, the happiness, the peace and power of our beloved country depends on its domestic industry, without



which, these United States would cease to be an independent nation.

Let those who acknowledge this great bond of union, let them never forget that "united we stand, and divided we fall," that sugar, and iron, hemp and lead, wool and cotton, and other productions of our diversified soil, elaborated by our own indefatigable industry, and protected by our own free government, are, in effect, the government that holds us together, and make us one people; that the home market is the palladium of home itself in all its most endearing and ennobling political and social relations; without which we have no common country, but should be reduced to the condition of dismembered and defenceless provinces. Let it therefore, be the instinct of all who acknowledge its cause as their own, to stand together, like the fathers of the revolution; with no local jealousy, no impolitic preference of one part of our system to another, but maintaining a united and inflexible adherence to the whole.

Spontaneous conventions like the present, originated our glorious revolution, and our admirable constitution. May the Almighty Power that presided over their deliberations, and that has never yet failed to guard these United States, shed the gracious influence of his protection, upon our labors!

**WILLIAM WILKINS**, of Pennsylvania, President.

<b>JAMES TALLEMAGE</b> , of N. York,	} Vice
<b>GEORGE BLAKE</b> , of Massachusetts,	
<b>HEZEKIAN NILES</b> , of Maryland,	} Secretaries.
<b>ROBERT TILLOTSON</b> , of N. York,	
<b>JOSUA W. PIERCE</b> , of N. H.	
<b>CHARLES PAINE</b> , of Vermont,	

Signed, also, on the part of all the members of the convention—being from Maine 4, New Hampshire 20, Vermont 8, Massachusetts 62, Rhode Island 30, Connecticut 61, New York 146, New Jersey 47, Pennsylvania 100, Delaware 7, Maryland 34, Ohio 2, Virginia 3, District of Columbia 1.—Total 525.

## PENNSYLVANIA LEGISLATURE.

### SENATE.

*Philadelphia City.* William Boyd, David S. Hassinger.  
*Philadelphia County.* Jesse R. Burden, Joseph Taylor.  
*Chester and Delaware.* John Kerlin, William Jackson.  
*Montgomery.* John Matheys.  
*Northampton, Wayne, Lehigh and Pike.* Jacob Kern,  
 Walter C. Livingston.  
*Berks and Schuylkill.* Jacob Krebs, Daniel A. Beretolet.  
*Dauphin and Lebanon.* Jacob Stoecker.  
*Lancaster.* Samuel Houston, John Robinson.  
*York and Adams.* Ezra Blythe, Henry Smyser.  
*Cumberland and Perry.* Jesse Miller.  
*Franklin.* David Fullerton.  
*Bedford and Somerset.* William Piper.  
*Northumberland and Union.* Samuel J. Packer.  
*Centre, Clearfield, Lycoming, Potter and McKean.*  
 Henry Petriken.

*Luzerne and Columbia.* Jacob Drumheller.  
*Bradford, Tioga and Susquehanna.* Reuben Wilber.  
*Huntingdon, Mifflin, Juniata and Cambria.* Thomas Jackson.  
*Westmoreland.* John Klingensmith.  
*Beaver and Butler.* Moses Sullivan.  
*Allegheny.* William Hays.  
*Washington.* Thomas Kingland.  
*Fayette and Greene.* William G. Hawkins, Solomon G. Krepps.  
*Erie, Mercer and Crawford.* Thomas S. Cunningham.  
*Armstrong, Indiana, Jefferson, Warren and Venango.*  
 Philip Mechling.

### HOUSE OF REPRESENTATIVES.

*Philadelphia City.* Samuel B. Davis, Charles H. Kerk,  
 Joseph Hemphill, Paul S. Brown, John W. Ashmead,  
 J. H. Campbell, Thomas S. Smith.

*Philadelphia County.* James Goodman, Daniel K. Miller, Richard Peltz, Thomas J. Heston, Franklin Vansant, John Felton, William Hinckle, Jacob Collar.  
*Bucks.* Robert Ramsey, Aaron Tomlinson, Christian Bartles, Daniel Boileau.

*Delaware.* Dr. Samuel Anderson.

*Chester.* Thomas Ashbridge, Arthur Andrews, Benjamin Griffith, E. F. Pennypacker.

*Montgomery.* Philip Hoover, John Shearer, John E. Gross.

*Lancaster.* John Lovett, John Strohm, James Mackey, Michael Kaufman, James Whitehill, Thomas H. Burrows.

*Berks.* John Wanner, John Pottier, William High, Henry Boyer.

*Schuylkill.* Samuel Huntzinger.

*Lebanon.* David Mitchell.

*Dauphin.* Christian Spayd, John Fox.

*Northampton, Wayne and Pike.* Thomas Fuller, Samuel Stokes, George Kelchner, Philip Lynn.

*Lehigh.* Peter Kneppely, John Weidar.

*York.* John Rankin, John R. Donnell, Andrew Flickinger.

*Adams.* Christian Pickering, Andrew Marshall.

*Franklin.* James Dunlop, Thomas G. McCulloh.

*Bedford.* Benjamin Martin, George James.

*Cumberland.* Michael Concklin, Samuel McKeenan.

*Perry.* John Johnston.

*Somerset and Cambria.* Daniel Weyand, John Gehhart.

*Northumberland.* Ebenezer Greenough.

*Mifflin and Juniata.* Andrew Brattan, Wm. Sharon.

*Centre and Clearfield.* Bond Valentine, John Irvine.

*Huntingdon.* John Potter, Henry Beaver,

*Lycoming, Potter and McKean.* William Platt, George Crawford.

*Columbia.* Uzal Hopkins.

*Luzerne.* Albert G. Broadhead, Nicholas Overfield.

*Union.* Philip Rhule, Henry Roush.

*Bradford and Tioga.* John Laporte, John Beecher.

*Susquehanna.* Almon H. Read.

*Westmoreland.* James Findley, Jacob D. Mathiot, James Moorhead.

*Allegheny.* William Kerr, Robert T. Stewart, John Walker, Andrew Bayne.

*Washington.* William Waugh, Wallace M'Williams, William Patterson.

*Beaver.* Samuel Power, John R. Shannon.

*Armstrong.* Hugh Ried.

*Indiana and Jefferson.* William Houston.

*Butler.* William Purviance.

*Mercer.* Walter Oliver.

*Crawford.* John B. Wallace.

*Warren and Venango.* John Galbraith.

*Fayette.* Robert Patterson, William F. Coplan.

*Greene.* Andrew Buchanan.

*Erie.* John Riddell.

[Harrisburg Paper.]

From the American Daily Advertiser.

## STATE OF THE WEATHER.

Mr. Poulson—In answer to an inquirer in your paper of yesterday, I hand your the following extract from my diary of the state of the weather in the month of November, 1829 and 30, which if you see proper to publish may answer his purpose.

NOVEMBER—1829.

- 1 Early A. M. rain, 10 o'clock clear and pleasant.
- 2 Clear, spring like.
- 3 Changeable, cloudy, heavy atmosphere.
- 4 and 5 Clear and pleasant.
- 6 Cloudy, raw and some rain.
- 7 Drizzle and rain till 4 P. M. then clear.
- 8 Cold, high wind, evening calm.
- 9 Hazy, damp.
- 10 A. M. warm, P. M. cold.

- 11 Clear and cold.
- 12 Cloudy, raw and cold, snow towards evening.
- 13 Clear and cold.
- 14 Rain moderate.
- 15 Clear, calm, very fine.
- 16 Cloudy.
- 17 Rain all day.
- 18 Clear and fine.
- 19 Clear and warm, P. M. cloudy, cool.
- 20 Clouds wild, looks snowy, evening clear.
- 21 Cloudy and changeable all day.
- 22 Same.
- 23 A. M. rain, warm, oppressive, thunder, P. M. clear, cold and windy.
- 24 Clear and cold.
- 25 Cloudy.
- 26 Rain, snow, sleet, heavy snow in the evening.
- 27 Clear, cold, raw.
- 28 Sun shines but damp and raw.
- 29 and 30 Cloudy and damp.

## NOVEMBER—1830.

- 1 Wind Southwardly—weather mild and hazy—some rain before 7 o'clock, A. M.—mild all day.
- 2 Wind Southwardly—morning foggy—weather quite mild.
- 3 Wind Southwardly—damp and foggy early—rain more or less during the day.
- 4 Wind Westwardly—weather pleasant.
- 5 Weather pleasant.
- 6 Wind Westwardly—weather pleasant—damp in the morning only.
- 7 Wind N. E.—weather mild generally—damp in the morning early.
- 8 Wind N. E.—cloudy and mild early—drizzling rains occasionally during the day, although but little fell—in the afternoon more unpleasant.
- 9 Wind N. E.—dull weather—in the evening rain.
- 10 Wind N. E.—rain more or less through the day.
- 11 Wind N. E.—mild in the morning—raw in the afternoon—rain in the evening.
- 12 Wind N. E.—rain more or less during the day.
- 13 Wind N. E. with rain—last night wet and stormy—heavy rains this evening.
- 14 Wind N. E.—rain last night and this morning—weather rather mild and damp.
- 15 Weather damp and mild.
- 16 Wind S. E.—weather damp, mild and like spring in feel all day.
- 17 Wind Southwardly—spring feeling weather all day, evening very damp.
- 18 Wind Westwardly—early was damp, afterwards pleasant and mild—evening mild.
- 19 Wind Eastwardly—weather cloudy—rather mild, part of to-day.
- 20 Wind Northwardly, rain in the morning—the sun out a short time in the afternoon.
- 21 Wind Easterly, damp weather generally.
- 22 Wind Eastwardly early—rain last night—this morning mild and damp—the weather to-day has been not unlike one in April, showery with the wind S. most of it.
- 23 Wind E. and N. E.—early damp and mild—afterwards raw and unpleasant.
- 24 Wind N. E.—E. with rain, more or less last night—to-day raw and unpleasant.
- 25 Wind N. E.—E. with rain—a great deal has fallen—a stormy day.
- 26 Wind N. W. weather clear with a freshness in the air—seasonable.
- 27 Wind N. W. weather very pleasant and seasonable.
- 28 Wind — weather dull—evening drizzling.
- 29 Wind N. E. with rain—a wet day—very unpleasant.
- 30 Wind N. E. rain last night—rain this morning—quite unpleasant.

## DECEMBER—1830.

- 1 Wind Westwardly & Northwardly—weather cloudy—afterwards clear and pleasant.
- 2 Wind variable—rather pleasant—rather a damp atmosphere.
- 3 Wind Southwardly—weather mild like spring—pleasant.
- 4 Wind N. W.—early in the morning milder than later in the day, when it became more seasonable.
- 5 Wind — weather not pleasant.
- 6 Wind Northwardly blowing a gale which began last night—snowing fast at 8 o'clock, A. M. the ground slightly covered at 9—rain—generally stormy.
- 7 Wind N. W.—the coldest morning we have had this season—last night windy—to day at times.
- 8 Wind N. E. weather raw—generally stormy—rain freezing slightly on the limbs of the trees.
- 9 Wind variable, S. W. and W. with some rain.
- 10 Wind N. W. weather windy; seasonable.
- 11 Wind Westwardly, weather dull generally—it did not freeze much last night.
- 12 Wind Westwardly, weather pleasant all day.
- 13 Wind Westwardly, weather unpleasant, 9 o'clock, A. M.—afterwards N. E. with hail slightly falling.
- 14 Wind N. E.—with rain.
- 15 Wind Southwardly, with heavy rain—mild like spring—weather in the afternoon clear—wind N. W. and high.
- 16 Wind N. W.—weather raw and unpleasant, notwithstanding the sun was out.
- 17 Wind N. W.—quite a winter's day throughout.
- 18 Wind S. W.—weather cloudy and rain.
- 19 Wind — with rain.
- 20 Wind N. E.—weather cloudy.
- 21 Wind N. W.—a winter's day—snow last night—remains on the ground all day.
- 22 Wind N. W.—a very cold day—thermometer at 8 above zero.
- 23 Wind S. W.—weather cloudy, with the feel of snow, at 8 o'clock, A. M.—afterwards clear and seasonable.
- 24 Wind variable—weather more moderate.
- 25 Wind Southwardly—weather mild like spring—exceeding damp and foggy—a heavy gale of wind last night, with rain, from S. E.—the evening foggy and extremely damp.
- 26 Wind Southwardly—weather very foggy and exceeding damp early—mild generally.
- 27 Wind —, with rain—a wet disagreeable day.
- 28 Wind Southwardly—weather pleasant and not cold.
- 29 Wind S. W.—weather more like a morning in April, than a winter's one—pleasant.
- 30 Wind — the ground is a little crusted by frost this morning—the weather however is not cold 7 o'clock, A. M.—the day did not prove pleasant as it progressed—rain in the afternoon.
- 31 Wind S. E.—Southwardly, with heavy rain, between 8 and 9 o'clock in the morning, thunder and lightning, although not much—a great deal of rain has fallen—a very high tide to-day.

Of November, 1830, my account is not so exact nor perhaps need it be, for upon reference to my general notes of that month, I find that rain was almost an every day visitor, and that all the dry or pleasant weather of the whole month would not make one week, which no doubt will be fresh in the mind of every one who had much out door business, during that period. R.

Saturday, Nov. 19, 1831.

FROM THE NATIONAL GAZETTE.

LIBRARY OF FOREIGN LITERATURE & SCIENCE  
At a meeting of the subscribers to the Proposals for the formation of a Public Library of Foreign Literature and Science, held at the Hall of the Philosophical Society on Monday, November 21, 1831.

Dr. Delancey, Provost of the University of Pennnsyl-

vania, was called to the Chair, and Frederick Fraley, appointed Secretary.

The object of the meeting having been stated by the Chairman, the Committee which had been appointed at one of the primary meetings and to which had been referred the subject of the organization of a Foreign Library Company, submitted the annexed Report and Constitution as explanatory of the views of the gentlemen who had called this meeting, when, on motion, it was

Resolved, That the report of the Committee together with the Constitution, and the proceedings of this meeting be published in all the newspapers of this city.

Resolved, That when this meeting adjourn, it will adjourn to meet on Monday next the 28th inst. at 4 o'clock in the afternoon. Adjourned.

WILLIAM H. DELANCEY, Chairman.

F. FRALEY, Secretary.

#### REPORT.

The Committee to whom was referred the subject of the organization of a Foreign Library Company, respectfully report—

That after examining the Constitutions and Laws of other Institutions of a similar character, they have prepared and now submit the sketch of such a plan as in their opinion, will meet the views of the gentlemen by whom they were appointed, and which, they hope, will receive the approbation of the subscribers generally. They have avoided detail as far as possible, believing it to be the appropriate duty of Directors hereafter to be chosen, to make such special regulations and arrangements as may be necessary. The title of the Company, the number, mode of election, and, of stock and amount of annual contribution, together with the terms of forfeiture, are particularly regulated by the Constitution which the Committee have prepared. In relation to these matters they have endeavored to be sufficiently explicit to enable the Directors to know on what terms it is desirable for them to obtain from the proper authorities a Charter for the Company, but have not thought it expedient or within the scope of their appointment to go further. They therefore submit the accompanying Constitution for adoption, and recommend that the Stockholders proceed to the election of a Board of Directors, whose duty it shall be, as soon as convenient, to obtain an Act of Incorporation.

The Committee take this opportunity to state what they suppose to be the objects of the individuals who have promoted the plan of a Public Library of Foreign Literature, and to correct misapprehensions which they are led to believe, exist. The plan of a Foreign Library originated in no spirit of opposition to any existing institution, but merely in the wish to supply a deficiency that had long been felt and regretted and which none of the public institutions of the city, from the limited resources at their command, are able to remove. So far was the idea of opposition, in the opinion of the Committee, from the minds of those with whom this design originated, that the wish was, if possible, to attach the new Library to some one or other of the public collections in this city in such a way as to save expense and promote mutual benefit. This idea of a connexion is now mentioned by the Committee, not as a part of a matured project, but simply as an indication of the feelings and wishes of those by whom they were appointed. It is a matter about which the Committee give no other opinion, than to recommend it to the consideration of the future Board of Directors who will be better qualified to judge of its expediency.

It has long been matter of general regret, as well on account of residents as of strangers, that no extensive collection of foreign books is to be found in our city, and it is with a view to remove this source of self reproach that the present plan has been suggested. In French literature, the deficiency has been most sensibly felt, the fact being undeniable that there is not a complete collection of the French classics at this time ac-

cessible to the public. This remark is not intended, only, or even principally to apply to the familiar works of French belles lettres, which the Committee are aware can generally be procured with comparative facility, but to such as may be called the secondary classics, with the merits of which every student is acquainted, and which certainly are not in this country the objects of easy acquisition. The contemporary publications, forming in themselves a valuable body of historical and polite literature, are scarcely to be found, and when imported always command prices that place them beyond the reach of the generality of readers. The valuable scientific works, which the French press is daily furnishing, are equally difficult of access. By means of an association like the present, with funds exclusively appropriated to a specific object, purchases may be made to an extent far exceeding that to which individuals can go, and a number of volumes soon procured which will give the institution permanent reputation. Not only may those of the French classics be obtained which are not now in other public institutions, but with the assistance of such an agent as it is presumed can easily be commanded in Europe, a supply of the best contemporary works can always be secured.

The demand for Spanish books is, the Committee have every reason to believe, daily increasing in direct proportion to the difficulty of meeting it. The standard productions of Spanish literature, especially the poets and dramatists, are to be rarely met with, and always from their rarity command a high price. In Europe it is believed they can be obtained on much more reasonable terms. As there is comparatively little contemporary literature in the Spanish language, the attention of the Company will of course be principally directed to the acquisition of such of the classical works as they can obtain. There is, however, one description of contemporary works in the Spanish language which constitute an important exception to this remark. The Committee refer to the official and other publications illustrative of the condition and resources of the Spanish American republics, which are valuable in every point of view, and which can only be securely preserved by the care of an Institution like the one now recommended. The official press of Havana, under the beneficial patronage of the present colonial authorities, has recently given to the world a series of political and historical publications, a few copies of which have reached this country and are of peculiar value, particularly as books of reference. With some qualification the same remarks apply to Italian literature.

The Committee have no means of ascertaining what is the demand for works in German, nor how far the want of them is supplied by Libraries already in existence. It is believed, however, that there are many of our fellow-citizens who have either acquired, or are now engaged in the study of that language who have no authorized access to the only extensive collection of German works in this city, and the Committee see with pleasure among the subscribers to the present plan, the names of several individuals known to be proficient in this department of literature, whose interests will necessarily be represented. Were no object to be attained but to enable students to become familiar with the German works of criticism, particularly on the ancient classics, a project directed to that end would deserve the favor of the literary public. In this particular, the labors of the critics and historians of Germany have gained for them unrivalled reputation. When, in addition, it is borne in mind that, besides the peculiar and magnificent productions of the last century, men of genius both in literature and science from the same portion of mankind are daily contributing to the stock of intellectual improvement, it forms, in the opinion of the Committee, no unimportant recommendation of any design calculated to afford facilities of which the student is at present destitute.

It has never been doubted that if a plan similar to that



which is now proposed, were to be submitted to the public, it would be successful, and the Committee avail themselves of this opportunity to express the pleasure with which they have perceived the generous patronage that has already been extended to it. A sufficiently large number of subscribers to put the work into operation has been obtained without any extraordinary exertion. It is believed that many more will connect themselves with the Institution as soon as it is organized, and that the support which is expected will not be confined to mere subscriptions to the stock, but will extend to donations and voluntary contributions from those who may be induced to feel an interest in the scheme.

In fixing the price of the shares at thirty dollars, the committee have been guided by a wish to meet the wishes and convenience of the subscribers, so far as it has been in their power to consult them. A smaller sum than that which they have recommended would in their opinion be insufficient. They would in conclusion suggest to the Directors the expediency of making the price of the shares payable in three equal instalments, one on the first of December, one on the first of February, and the third on the first of April next.

W. B. REED,  
ALEX. DALLAS BACHE,  
R. LA ROCHE,  
Committee.

#### *Constitution of the Pennsylvania Library of Foreign Literature and Science.*

Art. 1. This Association shall be known by the name and title of the Pennsylvania Library of Foreign Literature and Science.

Art. 2. The price of a share of stock in the Library shall be thirty dollars, and every person paying the same in the manner hereafter to be regulated by the Executive Board shall be entitled to the privileges of membership.

Art. 3. The Officers of this Association shall be a President, two Vice Presidents, a Secretary, who shall also act as Treasurer, and twelve Directors, all of whom shall constitute an Executive Board for the management of the affairs of the Institution.

Art. 4. The Executive Board shall have power to create and sell new shares of the stock of the Library, on such terms and conditions as they may from time to time deem expedient—shall establish regulations for the purchase, safe keeping and use of the books, appoint and remove the Librarian and other agents of the Company.

They shall hold stated meetings once a month, at such times and places as they may think proper, and have power to fill any vacancies that may occur among the officers of the Institution.

They shall have the power to give the use of the Library to any person not a stockholder, for any time they may think proper, not exceeding a year, and shall have power to regulate the terms on which the Librarian may admit strangers to the same privilege.

They shall report their proceedings to the association at the stated annual meetings of the stockholders, which shall be held on the third Monday in November in every year, when the officers for the ensuing year shall be chosen.

Art. 5. It shall be the duty of the Secretary to call special meetings of the stockholders whenever the Executive Board direct, or twenty of the stockholders request it.

Art. 6. The annual contribution to be paid by the stockholders shall be three dollars a year, payable on the third Monday in November.

Art. 7. The Executive Board shall have power to establish a system of fines and forfeitures for improper detention or injury of books, and for neglect to pay the annual contribution, provided that no share of stock shall be forfeited until the arrearages of fines and con-

tributions with interest shall amount to the par value of the share.

Art. 8. Any stockholder who shall in addition to the price of his share pay to the Treasurer the sum of Thirty Dollars, besides all fines and arrearages, shall be released from all contributions during his life: and any stockholder paying in addition to the price of his share the sum of Sixty Dollars, shall receive a certificate exonerating the said share from all further contributions forever.

Art. 9. The stock of the Association shall be transferable, provided no person shall be considered as entitled to the privileges of membership by assignment until his name be submitted to the Executive Board and approved by them.

Art. 10. The Treasurer shall give bond for the faithful performance of his duties in such sum and with such sureties as the Executive Board may direct.

#### FRANKLIN INSTITUTE.

The committee of Premiums and Exhibitions wish to make the following additions and corrections to their report of the late exhibition, published in the National Gazette of the 31st ult.

It was there stated that the premium on post paper was not strictly due; from the additional observations of the Judges on Stationary, which they hereto annex, they are pleased to have it in their power to add the following words:

“Premium No. 19, is due to Robert Donaldson, of New York, for specimen No. —, being ten reams (part of one hundred manufactured) of the best white vellum quarto post paper, which the judges report to be the best presented at this exhibition, and better than any they recollect ever seeing at any of the preceding exhibitions, and fully entitled to the premium.”

It was also stated by the committee that the iron wire, screws, &c. deposited by Iardman Philips, were manufactured from the ore with coke. The annexed letter from Mr. Philips will shew that this statement was incorrect. His prompt and candid denial entitles him to the thanks of the committee. In justice to themselves they deem it proper to state that his letter to the Actuary (accompanying his specimens) had passed into the hands of one of the members of the sub-committee on iron, and was not recovered until that gentleman subsequently found it among his papers while attending the Convention in New York. They had taken all possible measures to ascertain the fact, and had received the information from a highly respectable gentleman whom they believed to be Mr. Philips' agent in this city. Unwilling themselves to mislead the public and convinced that neither Mr. Philips nor his friend ever had any such object in view, they take the earliest opportunity of correcting the error, and at the same time they have great pleasure in learning from so authentic a source as that of Mr. Philips' letter, that there has actually been made within this commonwealth “about twenty tons of pig metal by means of coke as the only fuel.” They hope that at the 8th exhibition of the Institute to be held on the 2d of October, 1832, the Messrs. Valentine's will come forward to establish their claim to the *Gold Medal* of the Institute, to which their talents and enterprise will probably entitle them. By order of the Committee of Premiums and Exhibitions,

WM. H. KEATING, Chairman.

November 11th, 1831.

#### *Second Report of the Judges on Stationary.*

The undersigned, members of the committee of judges on books, papers, stationary, &c. presented at the late exhibition of the Franklin Institute, would represent to the committee of Premiums and Exhibitions, that they believe some mistake or misunderstanding has taken place in relation to the relative merits of the papers presented by Mr. Donaldson and by the Brandywine Manufacturing Company. They wish to be un-

derstood as stating that Mr. Donaldson's quarto-post paper, was the best paper presented at the Exhibition; that it was better than any they recollect ever seeing at the preceding exhibitions, and that as it came fully within the conditions proposed by the Institute, they believe that Mr. Donaldson is fairly entitled to the Silver Medal.

At the same time they do not feel disposed to qualify the high praise which they have given to the other papers presented at the Exhibition, none of which they believe was made expressly for competition except Mr. Donaldson's.

P. A. BROWNE,  
WILLIAM HIDE,  
S. M. STEWART.

Philadelphia, Nov. 9, 1831.

*Copy of a Letter from Hardman Philips, Esq. dated New York, 2d Nov. 1831.*

Gentlemen: Gratified as I must be by your notice of the various articles submitted by me for exhibition, which appeared in the National Gazette of the 31st ult. I regret to feel myself called upon to correct a statement in which honor is awarded to me which is not my due. I allude to the passage in your report in which it seems to be implied that the iron was made from coke, which was not the case. How the error has originated, I cannot conjecture: certainly not from my letters, for I recollect distinctly stating in two of them that the ore and pig metal were from *Bald Eagle Furnace, the property of Messrs. Jno. Gloninger & Co.* and that I only sent those specimens to shew the continued series of the various stages of manufacture from the ore to the screw. I think it only justice to my enterprising neighbors, Messrs. Valentine's of Bellefonte, to add, that they can fairly put in a claim for the honor which I disavow, as they have recently made about twenty tons of pig metal by means of coke as the only fuel. I shall be obliged by your publishing my disclaimer as soon as convenient, lest my silence might seem to countenance the error which has been committed.

With great respect, I am, gentlemen, your obedient servant,  
HARDMAN PHILIPS.  
To the Committee on Iron of the Franklin Institute.

For the Register of Pennsylvania.

## SKETCHES OF WESTERN PENNSYLVANIA.

(Continued from page 346.)

### NO. 2.

In addition to fertility of soil, abundance of timber, and innumerable fine streams of water, this section of country is also blest with unbounded mineral treasures—not, to be sure, the precious metals, but those minerals which have made England what it is—Coal and Iron. These have ever been found to be sources of more permanent wealth, of more real independence, of a healthier and happier state of society than those more precious, more coveted, but frequently more enervating metals, that have failed to confer upon the southern portion of this continent, either happiness or wealth.

The Coal is all bituminous. It is first met with on the Allegheny mountain, though not in very great abundance. At Philipsburgh, in Centre county, there are several excellent mines, which are pretty extensively worked. As we progress westward, it becomes more and more abundant, showing itself in the side of almost every hill, until we get to the Monongahela river, where it seems to have reached its maximum, whence gradually diminishing, it appears to become extinct in Western Virginia, Ohio and Kentucky. Its

northern boundary is not certainly known. It is found in Clearfield, Jefferson, Venango, Mercer, and perhaps Crawford counties; but in these it is comparatively scarce. Fayette, Washington, Allegheny and Westmoreland, have the greatest abundance. The southern portions of Cambria, Indiana, Armstrong and Butler, are also abundantly supplied. The section just described, is, however, by no means its utmost limits, but merely that in which it appears to exist in exhaustless quantities.

It is almost invariably found in a horizontal stratum, varying in thickness up to twelve feet, which is the thickest I have heard of. The mines generally open on the sides of hills, where the Coal frequently shows itself to the full depth of the vein, and whatever that depth may be, it is a certain criterion by which to judge of its value; for it rarely varies in thickness in the compass embraced by a single mine. It is excavated altogether with the pick and wedges,—the aid of powder is not required. The miner, with his pick, cuts away as much as he can at the bottom of the stratum, then, with his wedges, brings down the body which overhangs this little excavation. The principal art in mining, is to avoid breaking the coal too small.

The nature of this coal is too well known to require description. Its utility as an article of fuel, both for domestic and manufacturing purposes is incalculable. It is the mainspring in the prosperity of Pittsburg,—giving motion to all their manufactories,—every thing is done with coal—it roasts their beef and rolls their iron; it blazes in the parlor grate, and glows in their founderies and glass works; it gives employment and bread to the poor, and increases the wealth of the wealthy.

Iron ore abounds in most of the western counties. It is most extensively manufactured in Fayette and Venango, in each of which there are several furnaces, and in the latter two or three forges, making considerable quantities of bar iron. In Somerset, Cambria, Westmoreland, Armstrong, Butler, and perhaps some others, there are also from one to four furnaces, generally doing well. A considerable portion of the metal is converted into castings, but more into pigs for the Pittsburg founderies. This branch of manufacture is rapidly increasing; and a statement of its amount which would have been correct a year ago, would fall considerably short now.

Limestone abounds in almost every part. Marble has been recently discovered near the Allegheny river, a few miles above Pittsburg, which promises to be very valuable. The samples I have seen were beautifully variegated, and bore a fine polish.

Lead and copper ore have been found in several parts; though it is questionable if they exist in sufficient quantities to justify their manufacture.

There are several mineral springs, the waters of some of which have been carefully analyzed, and their properties published, especially one in the vicinity of Pittsburg.

The salt wells on the Conemaugh, Kiskiminetas, and Allegheny rivers, are exceedingly important, affording

that indispensable article in great abundance, and at a very moderate price. The existence of salt water in this section, was indicated by the oozing of water, lightly brackish, through the fissures of the rock. These places are called *licks*, from the fact of deer and other animals resorting to them, to drink the water and lick the mud or rocks, though the salt is scarcely perceptible to the human taste. Hence "watching a lick" is a phrase often heard among sportsmen in that part of the country; and it is common to see a kind of scaffold or nest among the branches of a neighboring tree, in which the gunner awaits the approach of the unsuspecting animal to its favorite lick. Many deer are killed in this manner.

About the year 1813, when salt, in consequence of the war, was extravagantly high, an enterprising gentleman (Mr. William Johnston, deceased several years since) determined to perforate the rock, and ascertain whether there was not some valuable fountain from whence all these oozings issued. He commenced operations on the bank of the Conemaugh, near the mouth of the Loy-alhanna, and persevered until he had reached the depth of 450 feet, through various strata of hard rock, when he struck an abundant fountain, strongly impregnated with salt. He immediately proceeded to tubing the perforation to exclude the fresh water, erecting furnaces, pans, and other fixtures, and was soon in the full tide of successful experiment, making about thirty bushels per day, all of which was eagerly purchased at a high price.

Mr. Johnston's success induced many others to embark in the business, most of whom were successful. Very soon the hitherto silent and solitary banks of this river were all bustle, life and enterprise. Well after well was sunk; competition ran high, and brought the price of the article lower and lower, until it was reduced to one dollar per barrel. This was too low. Some establishments were abandoned, others were carried on amidst every difficulty. However, a reaction, which was naturally to be expected, at last took place—the price was fixed at two dollars per barrel, which afforded a fair profit; the business regained its former spirit, and the quantity manufactured rapidly increased, and is still increasing.

The wells or perforations are from 300 to 600 feet in depth, about  $2\frac{1}{2}$  or 3 inches in diameter. They are made with a common stone chisel attached to poles. The operation is generally performed by hand, by striking the chisel forcibly upon the bottom. It is a tedious, laborious, and expensive operation, often requiring the labor of two men for more than a year. When water of the required strength, and in sufficient quantity is obtained, the well is tubed to exclude the fresh water; and a pump inserted, which formerly was worked by horse power, but now more commonly by a small steam engine. The water is first boiled in large square sheet iron pans, until it attains a strength but little short of crystallization; from these pans it is transferred to large cisterns in which the sediment is deposited; thence, purified, it is put into large kettles placed in the rear of the pans, in which it soon becomes crystalized without

any further attention. I have often watched the curious and beautiful process of crystallization. Spear after spear, of the most delicate structure, and fantastic shape will dart into existence as if by magic; the process becomes more and more rapid every moment; presently it looks confused and muddy; then, almost before he is aware, the spectator finds his eyes fixed upon a kettle of salt.

Sufficient water is drawn from one well to supply from three to five pans, making from fifteen to twenty barrels of salt daily. About thirty gallons are usually evaporated to every bushel. Coal is exclusively used as the fuel; nature having provided it in exhaustless abundance, and as convenient to the works as could be desired. At many of them it is thrown from the mouth of the pit into schutes, through which it descends by its own gravity to the side of the furnaces.

Coppers is manufactured to some extent in Mercer county. On Blacklick creek, in Indiana county, a few miles from Blairsville, there is evidence of an abundant source of this article; though there is no regular manufactory of it.

[To be Continued.]

We have been permitted to extract from the MS. Sermon, delivered by the Rev. Dr. SKINNER, on occasion of the death of Dr. WILSON—the following brief sketch of that eminent Divine.

#### REMINISCENCE

OF THE LATE REV. DR. JAMES P. WILSON.

While ministers of a certain class, possessing little intellectual furniture, besides a bare knowledge of the essential truths of the gospel, are with warm spirits, with a most exemplary zeal, and with much success, constantly employed in applying those truths to the hearts of their fellow men, they are sometimes disposed to hold in too little esteem, the labors of those of their brethren, whose taste, learning, and sense of duty, incline them to deep research into the principles of things, to careful analysis of complex subjects, to critical investigation, and minute exegesis of the sacred text, to elaborate inquiry into ecclesiastical antiquities and the opinions and productions of early days, and to the knowledge and solution of all the most subtle objections that have at any time been urged by heretics and unbelievers, against the true christian faith; as if without such vast labors at the fountains of wisdom, these less curious divines could have been supplied with some of those sweet streams, of which they are content to drink, without considering to whom next to God they are most indebted for the privilege. When our friend fell asleep, in what pulpit of this land, was a man to be found so enriched as himself, with the fruits of these patient, and at this day too unusual reaches of mind. Our ears never listened to a preacher whose common discourses discovered as rich treasures of recondite learning. And what more surprised us than the extent and variety of his acquisitions, was the ease and simplicity, and nice exactness, with which on all occasions he used them. In proportion to the depth and difficulty of his



subjects, his tongue was loosed and moved nimbly and trippingly, as in its favorite sphere, expressing the most subtle distinctions and discriminations of thought; pursuing the most refined and complicate argumentations; collating, criticising, paraphrasing, scriptures hard to be understood; reciting out of ancient and uncommon books, historical testimonies, and statements of doctrine; without the assistance of notes, and yet with a fluent precision and perspicuity of language which no such assistance could have improved.

Another recollection of him, which deepens exceedingly our sense of the loss we sustain by his departure, is, that with his great elevation in other respects he united in a rare degree what transcends all other excellence, and is the highest proof of true greatness, a catholic and charitable spirit. We never knew one who scrutinized more severely the evidences of doctrine; and he was consequently, when convinced, not liable to be soon shaken in mind; nor did he lightly esteem the truth which with so much diligence and honesty he had acquired, or think it unimportant that others should be ignorant of it, much less that they should pervert or falsify it. But his reading was too various, his observation too wide, his acquaintance with the history of theological strifes, too ample, his persuasion too lively, that the differences among religious parties are rather referable to a sectarian than a truth-seeking spirit, and while they anathematize one another, may be consistent with the existence, in some degree, of real piety in both, and their ultimate reconciliation in heaven—he was in a word, too sound-minded and enlightened a man to be a fierce champion of an ecclesiastical shibboleth, or to eliminate those whom he might suspect of having no readiness in framing to pronounce it right. He was among the worthiest of those ministers in our own denomination, who espousing no side, in our debates about orthodoxy, are willing to let those debates proceed so long as they threaten no schism, but when that danger is seen, throw in their influence, as a balance wheel in a vast machine, whose movement without such a regulator would presently stop with a terrific crash and damage. Such was the spirit of this high souled man; and who of us can consider the present state, might we not almost say crisis, of affairs in our church, without sighing deeply in his spirit, that the voice which he could raise, were he now in the midst of us, is not to be heard again till time shall be no longer.

Nor was it merely in his high place as a minister of Christ that he singularly honored his Master; he was distinguished by simplicity as his disciple, not less than by gifts as his representative; and it is when these two exist in union, that they become worthy of admiration. What a charm is there in gifts when simplicity exercises them; and how venerable is simplicity when it invests illustrious gifts. Never have we seen the person, in whom simplicity dwelt in an equal degree. Whether in his public ministrations, or in private life, this great man was unassuming as a little child, claiming no distinctions above the plainest individuals, and appearing to be conscious of no superiority to them in understand-

ing and knowledge. And such exemplifications of the Spirit of Christ are not so common amongst us that we shall suffer little by this privation: How often does the church, not to say the world, concede reputation for greatness, where it is no sooner received than it becomes manifest there was a mistake, by the immediate taking on of stateliness which it occasions? Such a transcendent instance of the reverse of this weakness was not to be lowly rated by true judges of excellence, and by them at least the loss of it will not be unlamented. With such rare simplicity in such a man, it was unavoidable that other great virtues should be united: in two of which especially, he was almost excessive. How did justice as beaming from his example rebuke those inconsistent religionists, who by their *pious*, would fain make atonement for their *dishonest* deeds; and how did his generosity, a kindred principle, put to shame those covetous professors who uphold treasure for themselves, as if orphans and widows and the children of want, had ceased from among men. Time fails us to speak of his other high excellencies; the strength and calmness of his feeling, his gravity and cheerfulness; his ease, pleasantness and exhaustless resources in conversation; and his most exemplary manner of life in his family. We shall leave his defects to be reported by those who would remind us that human nature is imperfect; only begging them if they censure his excitability, and his too great confinement at home, to imitate his nobleness in retraction; and to remember what an invalid he was for the last twenty years, how open his door ever stood to visitors, and what a good use he made of retirement. It being our purpose by these remarks to stir and strengthen in our minds a just sense of the dispensation which has taken him from us forever, we choose rather to remember, to what a height of excellence he attained, than that he did not rise beyond it.

It does not alleviate the sadness of the event we deplore that it occurred not unexpectedly, but by means of a very lingering illness which slowly enfeebled his frame, until it could no longer perform the least function of life. On his own account indeed we rejoice that the days of his patient suffering are ended, but he had not yet numbered three score years and ten, and the force of his mind was never greater than at the moment of his expiration.

He departed prematurely in the full strength of all his intellectual powers, and that disease should have so long interfered with the use of those powers before his hour came, only gave cause in a less degree for the same grief which his death more loudly calls for. But let us now cease from recollections of what we have lost, whether by the infirmity of his years, or the too soon completion of them, to secure in our breasts, if possible an indelible stamp, of the precious lesson of his dying conduct.

Having protracted his pastoral labours until his breath became almost too short for the purpose of continuous utterance, he reluctantly concluded, as he was wont to say to his friends, that his work for the Church and his God was done, and all that remained

for him now was to prepare for his change. And how seriously did he set himself to that most momentous of all the undertakings that mortal man are concerned with; choosing as the scene of it, a country retreat, and there amid the quiet, for which he always pined, ordering his conversation and reading, his prayers and meditations with constant reference to the great event—whereby, while he established his own heart in the faith of the gospel, the hope of immortality, and confidence in the fullness of God's forgiving mercy, he became so instinct with these divine themes, that with the pen of a ready writer he indited for the edification of mankind a treatise on each of them. His favourite books now were those of the most spiritual and heavenly strain; whereof the Saints' rest of Baxter was almost always found with the Bible, upon the stand beside him. Of that work especially he would speak in strong terms of commendation, at the same time remarking, "there is no book to be compared with the Bible, and if I might prefer one part of that blessed book before others, I would say I love the Psalms the best; I can always find in them something more expressive of my feelings, than my own language." At the last communion-service of the church within whose bounds he resided, which was but a little while before his death, he took part in the distribution of the sacred symbols, and in a manner which revealed his consciousness that he should never so officiate again—solemn from a sense of a near eternity and with a heart enlarged with the love of Christ and the hope of soon being with him—he addressed his fellow worshippers on the great things of their common faith, far beyond his strength. His soul henceforth spread her wings for the world of rest. He said to a friend "I have a strange difficulty, and you will perhaps think strangely of it, I am at loss what to pray for"—and added in a most solemn tone and with his eyes lifted to heaven, "God knows I am willing that whatever he pleases shall be done." His triumph too over the fear of death was complete. "I have," said he "been looking the case between God and myself, over and over and over again; and though I see enough to justify God in casting me off a thousand times and more, my conviction of my interest in Christ is so firm, that I cannot make myself afraid; the only thing I fear is that I have not fears enough." He remarked on the last Sabbath evening of his life, "I am almost home, and I thank God that I am—I went astray from him, but in his rich mercy he brought me back. I am unworthy of the least of his mercies, and if I may lie down beside his footstool, or if he will even put me under it—I will take the very lowest place in heaven." He needed some refreshment, and when the cup was handed to him, he took it and said, "O God bless this cup—I think I have a covenant right to it." A few hours before he died he asked a brother in the ministry to pray for him and specified this petition, "Pray that God will do with me just as he pleases." Mark the perfect man and behold the upright; for the end of that man is peace! We mourn for him, but not on his own behalf. Such a life, and such a death, to those who believe the scriptures, are equivalent to an assurance from heaven,

that he now shares the beatitude of that holy world. We sorrow that he has left us, but not as those who have no hope. "For if we believe that Jesus died and rose again, even so them also who sleep in Jesus will God bring with him. For this we say unto you by the word of the Lord, that we who are alive and remain to the coming of the Lord, shall not prevent them who are asleep. For the Lord himself shall descend from heaven with a shout, with the voice of the arch-angel, and with the trump of God; and the dead in Christ shall rise first. Then we who are alive and remain, shall be caught up together with them in the clouds to meet the Lord in the air, and so shall we be ever with the Lord."

From the United States Gazette.

#### LAW CASE.

The Commonwealth, } Indictment for the murder of  
 vs. } her husband, Edward Clue, by  
 JOANNA CLUE. } means of poison.

This case was tried before the Hon. Judge King, and his associates, holding a Court of Oyer and Terminer for the city and county of Philadelphia, in the month of April last. The jury could not agree, and under the circumstances stated in the following opinion, the court discharged the jury without rendering a verdict.

The present sessions of the Oyer and Terminer for the city and county of Philadelphia were held by Chief Justice Gibson and Judge Kennedy, of the Supreme Court. The defendant was again arraigned for the same offence. She pleaded the circumstances of her former trial, and the discharge of the jury as equivalent to an acquittal. The commonwealth demurred to the special plea of the defendant.

The case was argued by the Attorney General Michael W. Ash, and C. J. Jack, Esqrs. for the Commonwealth, and J. Swift and J. Randall, Esqrs. for the defendant.

A wide range was taken in the argument, and every thing that reason or precept could suggest, was presented to the Court.

Both sides, in the course of the argument, bestowed well merited encomiums on the judicial learning and purity of motive which governed the learned judge who discharged the jury, and not the slightest blame can be imputed either to the counsel of the commonwealth, or to the court, for discharging the jury.

Yesterday Chief Justice Gibson delivered the opinion of the court as follows:

#### OPINION.

It is not intended to treat the question presented by this demurrer, in the various aspects in which it has been viewed at the argument. The subject has been exhausted by several of the most learned and able judges of our country; and had we even the vanity to deem ourselves competent to shed new light on it, an attempt to do so would have been prevented by the press of business that has occupied our attention during the short period that has been afforded. But we have meditated no such attempt. Our object is not to produce new arguments to sustain or overthrow our decisions, but to repose on them so far as they go, as all-sufficient and incontrovertible authorities. Happily the Commonwealth vs. Cook, covers the ground of the argument here; and on the authority of that case we mean to rule the present. Although its principles may not be in accordance with the decisions in our sister states, and in the courts of the union, it is nevertheless, as it regards Pennsylvania, the law of the land; and we submit it without reluctance. By this remark, I am far from wishing to intimate a doubt of its solidity. Sit-

ting at the time in another court, I took no part in it; but had it been brought before the court in bank by reason or doubt, or hesitation on the part of the eminent men by whom it was decided, it would with the exception of an inadvertent expression of the Chief Justice presently to be noticed, have received from me a hearty concurrence. The confidence I put in the soundness of their judgment is unshaken by any thing discoverable in the decisions that have since been made. Why it should be thought that the citizen has no other assurance but the arbitrary discretion of the magistrate, for the enforcement of the constitutional principle which protects him from being twice put in jeopardy of life or member for the same offence, I am at a loss to imagine. If discretion is to be called in, there can be no remedy for the most palpable abuse of it, but an interposition of the power to pardon which is obnoxious to the very same objection. Surely every right secured by the constitution, is guarded by sanctions more imperative. But in those states where the principle has no higher sanction than that what is derived from the common law, it is nevertheless, the birthright of the citizen, and consequently demandable as such. But a right which depends upon the will of the magistrate is essentially no right at all; and for this reason the common law abhors the exercise of a discretion on matters that may be subjected to fixed and definite rules. I take it on grounds of reason as well as of authority, then that a prisoner, of whom a jury have been discharged before verdict given, may be pleading the circumstances in bar of another trial, appealed from the order of the court before which he stood, to the highest tribunal in the land. Nor do I understand how he shall be said not to have been in jeopardy, before the jury have returned a verdict of acquittal. In the legal as well as the popular sense, he is in jeopardy the instant he is called to stand on his defence; from that instant every moment of the Commonwealth, is an attack on his life, and it is to serve him in the hour of his utmost need, that the law humanely adds to the joinder of the issue, a prayer for self deliverance. The argument must therefore be, that he is not put out of jeopardy, unless by a verdict of acquittal; and that to try him a second time, having remained in jeopardy all along, is not to put him in jeopardy twice. In this aspect, it must be obvious that the argument is an assumption of the whole ground in dispute. If their prisoner has been illegally deprived of the means of deliverance from jeopardy, every dictate of justice requires that he be placed on ground as favorable as he could possibly have attained by the most fortunate determination of the chances.

The Commonwealth v. Cook, then, establishes that the court may discharge the jury of a prisoner capitally indicted only in a case of absolute necessity, to constitute which, it is necessary that there be some other ingredient besides mere inability to agree. The additional ingredient on which reliance is placed here, was the supposed disqualification for further consultation of two of the jurors by extreme sickness which it was believed endangered their lives. The facts which appear on the pleadings are these. The jury retired to consider of the verdict on Saturday evening at half past ten o'clock, and returned to the bar at ten o'clock in the forenoon of the Monday following, declaring they were not likely to agree; and two of them complained of being unwell, one of whom expressed a belief that if he were much longer confined in the state of privation in which he was placed, his life would be endangered. Being then sworn, he deposed that he was seventy-six years of age; that his health was greatly impaired by an attack of illness from which he had been relieved but a month before; that he was so feeble from privation and suffering as not to walk without assistance, and he firmly believed that if he were kept any further time in the state of restriction and privation in which he then was, his life would be put in danger. The other juror also testified that he was quite ill; that a bilious fever with

which he had been confined a few months preceding, had left his frame debilitated; and that he firmly believed his health would be in danger were he longer kept in the state of privation and restriction in which he then was. A respectable physician who had been ordered to visit the indisposed jurors in consequence of these representations, deposed that he had attended one of them a month before in a disease of the brain; and that his life would be put in danger by his being retained in the state of privation and restriction in which he was then placed, as it might produce a return of the disease. That the life of the other juror was not in immediate danger, but that he was ill, and his health would be endangered, were he to remain in a state of restriction and privation. In consequence of this examination, the jury were discharged at half past 12 o'clock of the same day, without the consent of the prisoner, and having been kept together during thirty-eight hours without meat, drink, or refreshment. But previous to their discharge, and when they had been so kept together for twenty-four hours, the court, with the assent of the Commonwealth and the prisoner, ordered them refreshment on condition that a majority of them would consent to receive it; but the refreshment so ordered was refused.

The prisoner not only consented to the granting of food, and refreshment at all times, but after the condition of the two jurors was made known, prayed the court to allow whatever should be necessary, especially to those who were indisposed. From the facts thus stated, it distinctly appears that the jury were kept without food and refreshment, against the prisoner's consent; and that in consequence of the illness of two of the number occasioned by abstinence, and which might consequently have been removed by the administration of nourishment, they were discharged against her consent.

It is evident that the course pursued by the judge was thought by him to be dictated by a passage in the opinion of the Chief Justice in the Commonwealth vs. Cook; and it is but just to say, that viewing the matter as it was perhaps his duty to do, it is not easy to see how the result at which he arrived, could have been avoided. "But a case may arise," the Chief Justice had said 6 Serg. & R. 587, "in which a jury may find great difficulty in agreeing, and some of them may be so exhausted as to put their health in danger. No one can think for a moment, that they are to be starved to death. God forbid that so absurd and inhuman a principle should be contended for. The moment it is made to appear to the court by satisfactory evidence, that the health of a single jurymen is so affected as to incapacitate him to do his duty, a case of necessity has arisen which authorises the court to discharge the jury." It is evident from this, that the exhaustion of a juror from privation was viewed by the Chief Justice as a case that might legitimately arise; and undoubtedly the supposition is consistent with principles that were applicable to trial by jury in the earlier periods of the law. It is scarce to be doubted, that the original object of keeping a jury together without meat, drink, fire or candle, was to extort the concurrence of those who would otherwise have withheld it; for though Sir Mathew Hale, in his Pleas of the Crown, 297, declares that "men are not to be forced to give their verdict against their judgements," yet it is said in a curious note appended to the remark, that "it is not a force when any of the jurors are compelled under the peril of being starved to death; for how can it be expected," demands the annotator, "that twelve considering men should, in all cases, happen to be of the same sentiments?" It is certainly easier to answer his question, than assent to the truth of his remark. — Originally, it would seem, refreshments were not allowed even by consent of the prisoner; and it was left to modern times, as is justly remarked by Mr. Justice Duncan in the Commonwealth vs. Cook, to allow them, at first by consent, and afterwards by the inherent pow-



er of the court; so that the use of hunger as an instrument of compulsion, like many other matters, such as fining jurors for obstinately holding out, seems to have passed away with the darkness in which it was engendered. The ancient form of the tipstaff's oath, indeed remains; but with the implied qualification of being controlled by the direction of the court, it affords an admirable security against abuses that would infallibly rush in, were jurors allowed an unlimited license to receive refreshments at their pleasure, or through any other channel than the order of the court. Through that channel, a reasonable supply at the public charge, and in quantity so restricted as to guard against excess, is a matter not of indulgence but of right, appertaining to the jurors not as a body but as individuals, and without being subject to the control of the majority. What was said by Chief Justice Tilghman in the passage just quoted, was doubtless drawn from recollection, and used in illustration of the matter more immediately before the court. The application of torture in order to force the conscience, was abhorrent to every feeling of his nature; and had the attention of that humane and excellent judge been drawn directly to the subject by the occasion, there is little hazard in affirming that the result would have been the adoption of a sentiment in accordance with that which is now expressed.

If then, the indisposition of the jurors was indeed without the prisoner's assent, and might have been removed, what was the course dictated by analogy from parallel cases? Undoubtedly to recruit their forces by food and refreshment. If a juror be taken ill, says Mr. Chitty *Crim. Law* 529, another juror may be permitted to attend him; and if it appear that there is a probability of a speedy recovery, he may be allowed proper refreshment. It is only in the absence of a probability to return to his duties, that a new panel may be ordered. There cannot be a doubt that the indisposition of the two jurors here, would have been speedily removed by appropriate nourishment; and their temporary exhaustion, therefore, was not an available ground to divest the interest which the prisoner had in the verdict. Her plea of *autre fois acquit* has not been maintained by the production of a sufficient record; but her other special plea is available in law, and we are of opinion that the demurrer be overruled. She is therefore discharged.

The defendant, Joanna Clue, was then set at liberty.

*From the Lancaster Gazette.*

#### ANTHRACITE COAL.

The increasing demand for this invaluable fuel, has occasioned a close and general search for it throughout the whole extent of the region through which it is known or suspected to extend, and several discoveries have been recently made, in situations very convenient to the Susquehanna river, and much nearer to the market than the mines that have heretofore been principally relied upon for a supply. We perceive that a seam of this fossil has lately been opened in stoney creek valley, six miles from Green's mills, which, from the description of its dimensions, promises to be valuable. Several veins were traced in the same neighborhood, we presume on the same mountain, about three years since by Doctor Kugler, but no vein of sufficient extent was discovered to warrant mining until he arrived in the neighborhood of Pine Grove. The coal now found, we perceive, is pronounced *Bituminous*, in the paper which gives an account of it. That is a mistake. There is no bituminous coal in that region. But it must be remarked, that the Anthracite of the Short-mountain, is specifically lighter than that of Luzerne county, ignites freely, and answers for Smith's fires and to burn in grates, and indeed for every purpose, better than that of Luzerne or Schuylkill county.

The Short-mountain, is nothing more or less than a continuation of the Broad-mountain—and its abrupt termination in Lykens' valley eleven miles from the Sus-

quehanna appears to be the Western termination of the numerous veins of coal that are distinctly traced from Mauch Chunk, by Pottsville, to the brink of the precipitous descent in which the mountain is lost in Lykens' valley.

The mountain as it extends westward gradually narrows, preserving for many miles an elevation of about eight hundred and fifty feet above the valleys between which it rises. Several veins of coal have been opened upon the south and north side, and one which has recently been opened in Bear Gap, about eight hundred feet below the summit of the ridge, yields about five feet diameter of pure coal, and can be worked about three hundred feet perpendicular, to where the coal breaks into day upon the south side of the mountain, promising an unbroken body of that dimensions of depth and diameter, for many miles in length.

This singular deposit, which is perhaps one of the greatest in the world, and which promises from the peculiarity of situation a facility of mining not met with in our State, deserves a particular description.

The mountain at its termination is one solid, unbroken mass, about a mile across, widening gradually upon the top from a level of about forty yards, as a perfect plain about a mile and a half in diameter. All at once this plain sinks in the centre, longitudinally with the mountain, forming a deep swamp valley in its bosom, which extends North East five or six miles, into which numerous springs flow, the accumulated waters of which produce a considerable stream, bursting through the Southern side of the mountain out of what is called Bear Gap, or Bear Hole Gap, into Williams' Valley, cutting its passage down to the base of the mountain. This is the only pass by which Bear Valley can be entered, and in this pass all the coal seams are found, on both sides, shewing evidently that the convulsion, or the bursting of the lake confined in the interior of the mountain, which formed the Gap, crossed the line of the seams and severed them in two.

This pass is from fifty to sixty yards wide, the number of veins already explored on the south side of the south division of the mountain are five, varying in breadth, the smallest four feet of pure coal, and are found about fifty yards apart, dipping about forty-five degrees north, and run with the mountain range from north-east to south-west. There are evidences of nine veins on the south side of this mountain, one or two upon the summit and four upon the north side, all crossing the gap at right angles. One of these veins, upon the apex of the ridge, lately examined, measured fourteen feet pure coal, and how much more could not be ascertained, as the slate upon one side was not reached. On the northern division of the mountain several veins have been struck, but no mining commenced, except to ascertain the fact that it also contains abundance of coal.

In the first instance, the principal mining operations will be carried on in the Gap, where the coal is of easy access: and little tunnelling can be required, and where preparations are now making to lay the rail road. The great advantages of this position will be at once perceived, by observing that in the gorge of this Gap, twenty-eight veins can be opened, with separate gangs of miners on each vein, working over each others heads from the base to the summit, on both sides of the gap, running out their laden cars as speedily as filled, upon the rail road, and despatching them at once, by steam or horse power, without any other handling of the coal, to the Susquehanna at Millersburg. At the same time other bodies of workmen may be employed at suitable intervals, tunnelling into the same veins, as far as the rail road can be conveniently reached, which will be at least for seven or eight miles along the mountain, until it is found expedient to extend the line still farther east.

It is upon this region that the counties of Dauphin, Cumberland, Lancaster, York and Adams, in Pennsylvania, and the cities of Baltimore, Washington and Alex-

andria, and the towns upon the Chesapeake, must principally depend for their supplies of fuel; in the first place, because the distance of carriage is nearly one hundred miles shorter than from the Wilkesbarre mines; in the second, the coal is infinitely superior for family use, for Cupola furnaces, and Smith's forges, to any other Anthracite that has yet reached the market, can be afforded at a cheaper rate, and if a company should be formed with a sufficient capital to prosecute the business on an extensive and economical plan, a supply to any extent, for home consumption or exportation, could be furnished in a very short time.

The surveys for the rail road have been completed, and the work of grading, we understand, commenced in Bear Gap, from which it proceeds in a western direction, five miles along the base of the mountain, and from its termination, eleven miles—to Millersburg, at the landing on the Susquehanna, in all sixteen miles; with a graduated descent of less than twenty feet to the mile.

We think our friends in Baltimore would find it to their interest to turn their attention to this region.

**INTERESTING EXPERIMENT.**—Mr. Badger gave a very satisfactory exhibition of burning Anthracite Coal, in Bowdoin Square, Saturday evening. He ignited and caused to burn briskly about three pecks of Lackawanna Coal, in an iron cage suspended in the open air. The cage containing the coal exhibited a solid body of fire. It shows very clearly that this coal does not require great draft to it—and with the aid of a well constructed grate, (different from any now in use,) it may be made to throw out a greater quantity of heat, than can be derived by the present mode of burning it. Our churches may be warmed by a suspended grate, with a conductor to carry off the gas—at a trifling expense, and made perfectly comfortable. —*Boston paper.*

**ANTHRACITE COAL.**—The advantages of this mineral are daily developing themselves. Among the new uses to which it has been applied is that of *colouring hats*. Messrs. Boas & Co. of this place, have erected a furnace for that purpose, nearly similar to those in use for burning wood. Coal has been used for some time past for *planking*, but we believe this is the first time it has been applied to *colouring hats*. Besides the saving in price the heat made by a coal fire is found to be more uniform and regular than wood, which is a great desideratum, as a slight variation in the temperature of the fire is injurious to the hats. Half a bushel of Coal is found to be sufficient for colouring for twenty hours.

*Reading Chronicle.*

## THE REGISTER.

DECEMBER 10, 1831.

On Thursday the Legislature met. Mr. Hawkins was elected Speaker of the Senate, and Mr. Laporte of the House—at 12 o'clock on Wednesday, the Governor's Message was delivered. We have received a copy of it. Its great length, and a wish to present it entire, compels us to postpone its publication until next week.

During the past week the weather has been extremely severe. On Sunday last some snow fell. The navigation of the Delaware has been interrupted for several days by the floating ice—and on Thursday was completely closed between the city and island, so that persons have been crossing upon the ice. The Schuylkill has been fast for some days. The supply of fuel has been unusually small—and oak wood has been sold at 10 to

\$12, and hickory as high as \$15. The supply of coal nearly, if not entirely disposed of.

On Thursday night there was a fall of snow—and a few sleighs were in motion yesterday. The weather somewhat moderated, but with appearance of more snow.

Years in which the navigation of the Delaware was obstructed by ice in December.

1681 Dec. 11, Frozen over in one night.

1720 do 20, River full of ice—free on the 27th.

1721 do 19, do

1724 do 15, do

1725 do 21, do

1730 do 21, do

1731 do 14, do

1740 do 19, do not navigable till 13th Mc'h.

1746 do 28, Frozen up.

1747 do 15, Full of ice.

1751 do 17, do

1753 do 29, Closed,

1758 do 28, Full of ice.

1759 do 21, do

1761- do 17, Interrupted for several days past.

1764 do 27, do do

1767 do 24, do do

1769 do 21, do do

1771 do 23, Full of ice.

1780 do — March 4th river opened after being closed nearly 3 months.

1783 do 26, Closed,

1784 do 22, At a stand.

1786 do — Stopped—day not mentioned.

1788 do 23, Large quantities of ice—26th skaiting on Schuylkill.

1790 do 8, River closed.

1791 do 23, do

1796 do 6, Susquehanna—men and horses cross on the ice.

do 23, Delaware closed.

1797 do 1, Schuylkill fast—Delaware full of ice.

1798 do 12, Ice in Delaware—open on 15th, and again closed on 17th.

1802 do 19, River fast.

1804 do 18, Full of ice.

1806 do 18, do

1808 do 8, Skim ice in the docks.

1810 do 18, Frozen from side to side, broke up on 19th.

1811 do 25, Full of ice.

1812 do 9, Schuylkill fast—Delaware full of ice.

1814 do 15, Much floating ice.

1818 do — Obstructed—day not mentioned.

1825 do 28, Some ice.

The river may have been closed in other years not mentioned, but we have no account of it—1797, seems to be the earliest occurrence mentioned, viz. Dec. 1st.

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# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 25. PHILADELPHIA, DEC. 17, 1834. NO. 207.

## GOVERNOR'S MESSAGE.

Dec. 7.

This day at 12 o'clock, the Governor transmitted to both branches of the Legislature, the following MESSAGE.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

### FELLOW CITIZENS:

Among the many arduous and responsible duties enjoined upon the executive by the constitution, there is none which, in its faithful performance, calls for more careful consideration and serious reflection than that of arranging the details, which, that it may answer the design intended, ought to enter into the annual message usually transmitted to the General Assembly at the opening of its session.

It was doubtless the design of those, by whom it was deemed to be of sufficient importance to make it a subject of constitutional direction, that every such document should be so framed and adjusted as to contain a succinct, but faithful narrative of the true state of the commonwealth, exhibiting distinctly and without disguise, to the representatives of the people and to those whom they represent, all such prominent acts and measures adopted and transacted in the course of the administration of its affairs as immediately affect the public interests or require legislative action, and recommending the adoption of such measures, for their deliberations as in the opinion of the executive will best tend to promote the general welfare, and to ensure the prosperity and happiness of the people.

In approaching the performance of this difficult undertaking, I feel myself relieved from much of the embarrassment which a different state of circumstances would have occasioned, by the consideration that whatever aspect the state of the commonwealth may present to the view of others, I feel myself warranted in declaring it as my deliberate opinion, that there has not been a period in the history of Pennsylvania, taking into consideration its prosperous condition and its magnificent future prospects, when there was greater cause for mutual congratulation, and for devout aspirations of gratitude to the great Dispenser of every blessing, than that which the unexampled state of prosperity of this rich and flourishing commonwealth now presents. What citizen of Pennsylvania does not feel the honest glow of patriotic pride and unfeigned satisfaction in the contemplation of the eminent advantages possessed by his native or adopted State—in its abundant resources—the elevated position it occupies amongst its sister states—its numerous benevolent and charitable institutions—its extensive public improvements, finished and in progress towards completion, giving assurance of an ample and speedy return, sufficient to compensate for all the disquietude and uneasiness which the unavoidable delays, the heavy expenditures, and the many difficulties and embarrassments, that occurred in the course of their construction have occasioned—its vast and almost unlimited agricultural, commercial, manufacturing and mineral wealth—its healthful climate, its rich, luxuriant soil, its extensive and well established credit, and its citizens enjoying every where in rich profusion all the necessities and all the comforts and conveniences

of life. With advantages such as these, and in a state of unprecedented prosperity, such as is distinctly seen and felt in every section of this highly favored commonwealth, the language of complaint ought not to be heard, and poverty and want, the consequence sometimes, indeed, of accident or some peculiar casualty (which the humanity of our citizens will not suffer to remain long unrelieved,) but more frequently to be traced to indolence and vice, ought rarely to be seen within our borders.

Extending our views beyond the limits of our own state, we have abundant cause for unaffected felicitation and profound gratitude, in the contemplation of our increasing greatness as a people, whose progressive improvement has been rapid and extensive beyond the example of any other nation, and the dignified and enviable superiority of whose government, institutions and laws, in comparison with those of every other country, furnishes a subject for universal admiration and respect abroad, and inspires a laudable patriotic pride, veneration and confidence at home. Blessed with peace and tranquility, and a disposition to cherish and preserve them—with an extended commerce rendering tributary to us the resources of other nations, and enhancing the value of our own productions, a rich profusion of agricultural products commanding generous prices, liberally rewarding the toil and labor of the industrious farmer; a sound currency circulating freely, and without impediment or loss in every section of the Union; an overflowing treasury and a public debt nearly extinguished. Our domestic industry encouraged and protected, and possessing a sufficient guarantee in the opinions heretofore entertained and expressed, by the venerable patriot at the head of the general government, that internal improvements, of a national character, will not be permitted to languish; we may indeed appreciate with becoming confidence and with feelings of patriotic exultation, the unexampled success which has attended our republican form of government, formerly considered an experiment of doubtful efficacy, to sustain itself against all the variety of changes and embarrassing perplexities to which, in the course of its manifold political probations, it would necessarily be exposed; but since proved by the unerring test of time and the experience which a combination of adverse circumstances, the consequence of occasional popular commotions, but more recently of a protracted and vindictive war with a powerful foreign nation, has furnished, not only to possess the capacity to secure to its citizens a greater amount of true happiness and enjoyment, and of temporal bliss and prosperity than is conferred by differently constituted governments elsewhere, but also to combine the strength and energy, necessary for national security and protection, with the firmness and stability which eminently fit it for every vicissitude to which governments are exposed in the ever varying course of events.

But whilst we are indulging in congratulations with regard to the general prosperity of our common country, and advert to the extensive artificial improvements constructed and in progress in our own commonwealth, may I not be permitted, at the same time, with the sensations of unaffected exultation and delight, which the deep interest all must feel in the subject,



cannot fail to inspire, to direct your attention to, and to congratulate you upon its recent extraordinary moral improvement, exemplified in the gradual, but clearly perceptible, decrease of crime of every grade and description, and especially in the manifest diminution of the number of victims to that most degrading of all vices, intemperance, the genetrix of crime; and to which most vices owe their depraved origin: but upon which the philanthropic efforts of the wise and the good every where, aided by the force of public opinion, have stamped the seal of reprobation and doomed it to such an overwhelming measure of odium and ineffable contempt, as even the unfortunate votary, with habits the most inveterate and confirmed, cannot assume the hardihood to brave or to resist. The entire prohibition of the use of ardent spirits to persons employed upon the public works, now constructing by the State, would, there is reason to believe, greatly aid in still further extirpating this loathsome and destructive moral contagion from amongst us, be attended with the most happy consequences to the individuals themselves, and produce results highly beneficial to their employers and to the State.

A kindred evil to that of intemperance, however, equally ruinous to the morals and destructive of the comfort and happiness of the community, is the practice of selling foreign lottery tickets, and the drawing of lotteries within this commonwealth, which has been permitted to progress for many years, and is still tolerated amongst us; no successful effort having hitherto been made to arrest it. And so long as we shall have a lottery drawn within the State, by authority of law, we must expect a continual influx of tickets upon us from other states, the sales of which will be cloaked and connived at, under the legalized sales of tickets of the Union Canal Lottery. And such is the infatuation produced upon the community, by his fascinating and alluring enticement to adventure, that until there shall no longer be a vestige of a lottery authorized by law, tolerated in the State, the several acts of assembly, providing severe penalties against the venders of foreign or unauthorized lottery tickets, will remain a dead letter, and will not be enforced against offenders. The Union Canal Company having heretofore transferred the right accruing to them, under the several acts of assembly authorizing the lottery, to Archibald McIntyre, a citizen of the State of New York, and the contract of transfer having recently been renewed with the transferee, for two years, from the first day of January next, I would recommend that after the expiration of that period, or sooner if practicable, such arrangements with the company, should, if possible, be made, consistent with good faith, as would relieve the Commonwealth, from a great and apparently interminable moral evil. It is believed that by expunging from the statute book the last act to be found there in favor of lotteries, a great and lasting benefit would accrue to the community at large, as the foundation upon which the mischief rests, would then be entirely eradicated; and by providing for a rigorous prosecution of the laws already in force against the venders of foreign tickets, and of tickets issued in our own State, without the authority of law, an end would soon be put to a grievous and growing moral malady, and the community would be relieved from a species of taxation, which, although voluntary, is of the most onerous, oppressive and ruinous kind.

As a grain growing State, Pennsylvania is not excelled by any of her sister States; and much has been done by former legislatures to encourage an increase of her agricultural productions, by making liberal appropriations for opening avenues to market, by means of artificial or turnpike roads, and for the erection of firm and substantial bridges: and much is still in progress to be done further to facilitate the intercourse between the interior of the State and its principal cities, by means of canals and rail roads; which will not fail to have a

beneficial tendency in favor of extending and diffusing the business of agriculture more generally throughout the state, and of infusing into our farmers a spirit of laudable ambition to excel as well in the quality as in the quantity of their productions; by means of which the general wealth of the State, as well as that of individuals, will be greatly increased. It is believed, however, that the condition of our agriculturists might be still further improved by fostering and encouraging, by judicious legislative enactments, the culture of a greater variety of productions, and the improvement, as well in the art and manner of producing as in the kind and quality of the thing produced. It is generally supposed, that neither the soil nor the climate of Pennsylvania are adverse to the culture of the vine or the mulberry tree, and that both wine and silk might, in a short time, with proper attention, and the aid of legislative encouragement, be raised in such sufficient quantities as to furnish, if not a part of our staple for exportation, at least an adequate supply for home consumption. Besides there is reason to believe that the former, if successfully cultivated, would, in addition to the advantages it would confer upon the producer, have a salutary moral influence upon society, by lessening, in a great measure, the sum of human misery in the diminution of the use of ardent spirits, as a substitute for which it would in all probability be used, and thus aid the philanthropic efforts of the friends of temperance in speedily removing from the community, one of the most deplorable and destructive calamities with which the human family ever was afflicted.

Would not the encouragement of societies in each county, to give effect to the objects I have mentioned, and to be formed upon such principles and under such regulations, as the legislature should prescribe, give a healthful and vigorous impetus to agricultural enterprise, and stimulate, in the industrious practical farmers of our State, a laudable spirit of emulation to surpass each other in the art of producing, and in the variety, the superiority and abundance of their productions? To awaken an interest upon this subject, small annual appropriations might be made, to be distributed among the several societies, and by them dealt out in the shape of premiums, to such as should merit them, which would not fail to excite a wholesome emulation among a valuable class of citizens, and add to the wealth and prosperity of the country without injuriously affecting the public treasury.

The improvement of the mind should be the first care of the American statesman, and the dissemination of learning and knowledge ought to form one of the principal objects of his ambition. Virtue and intelligence are the only appropriate pillars upon which a Republican Government can securely rest: without these, liberty itself would soon degenerate into licentiousness, and our free and liberal institutions, so highly cherished by ourselves, and so much admired and respected by the wise, and the patriotic of other nations, would be ingulphed in anarchy, and become the reproach of their friends and the derision of the enemies of the equal rights of man in every quarter of the globe. Under these impressions, no opportunity has been omitted earnestly to press upon the attention of the legislature, the indispensable necessity of establishing by law a general system of common school education, by means of which, in the language of the constitution, "the poor may be taught gratis," and that the benefits and the blessings resulting therefrom, may be extended to the rising generation, indiscriminately and universally.

It is cause for no ordinary measure of gratification, that the legislature, at its last session, considered this subject worthy of its deliberations, and advanced one step towards the intellectual regeneration of the State, by laying a foundation for raising a fund to be employed hereafter in the righteous cause of a practical general education; and it is no less gratifying to know, that public opinion is giving strong indications of having

undergone a favorable change in reference to this momentous measure, and by its gradual but powerful workings, is fast dispelling the grovelling fallacies, but too long prevalent, that gold is preferable to knowledge, and that dollars and cents are of higher estimation than learning. This powerful lever, by which the actions of men are principally regulated, is fast approaching a crisis in relation to this much agitated question, and there is reason to believe, will speedily induce legislative action in reference to it: not, it is hoped, however, too speedily for maturing a well digested system, possessing that degree of perfection by which it will be rendered generally acceptable to the people, and have a tendency to realize the ardent hopes and fond anticipations of its many warm and zealous friends. A system that would not have such a tendency, but would be received with dissatisfaction by the people, would have the unhappy effect of blasting for a time, the anxious expectations of the advocates of general education; of reviving former prejudices, and of retarding for many years, the progress of intellectual improvement. In order therefore, that a system, the most perfect that can be devised, and one that will be best adapted to the views and wishes of our constituents, may be projected in the first instance, should any difficulties occur, in the course of your deliberations in relation to the subject, or in regard to the most eligible plan to be adopted, I would suggest for your consideration the propriety of appointing a commission, to consist of 3 or more talented and intelligent individuals, known friends of a liberal and enlightened system of education, whose duty it should be to collect all the information, and possess themselves of all the facts and knowledge, that can be obtained from any quarter, having a bearing upon, or connexion with the subject of education, and to arrange and embody the same in a report, to be transmitted to the legislature at their next session, for examination and final action thereon. Such a course, there is reason to believe, would tend more than any other, to elicit much valuable information that could not otherwise be obtained, would facilitate the progress and final completion of this much desired work; and would not fail to secure for it a greater measure of protection than could under other circumstances be attained.

The policy of a protecting tariff, and the encouragement given to works of internal improvement, of a national character, by the general government, are favorite measures with the people of Pennsylvania, and the former is esteemed by them as being identified with their best interests. The constitutionality of these measures is not questioned here, nor is there any doubt entertained of their entire expediency; and much as we may regret that complaints, with regard to the supposed oppressive character, and bearing of one of those measures, should obtain elsewhere; yet from the universal prosperity that is admitted to abound in every part of our happy country, there is reason to doubt whether the prevailing discontents are well founded; and we are admonished to restrain our sympathies in behalf of our complaining brethren, lest in lending ourselves to aid in relieving them from an imaginary oppression, we put ourselves in a condition to be seriously oppressed. Upon these all engrossing questions of national policy, the voice of Pennsylvania has been repeatedly expressed through her State legislature, as well as by her representatives in congress, and so long as she shall continue to place a proper estimate upon her own prosperity, and the success of her infant manufacturing establishments, she will not cease to cherish the same sentiments in favor of measures indispensable to the successful fostering and encouragement of her domestic industry and enterprise.

The policy of abolishing imprisonment for debt, is a subject which has for some time past occupied the attention of the humane and philanthropic portion of our citizens, and has awakened a deep interest in many parts of the Union, to have this harsh feature eradica-

ted from the jurisprudence of our country. Pennsylvania has always been remarkable for the mildness of her laws, and has uniformly been in advance of her sister States in all legislative enactments founded upon the principles of humanity, or having for their object the security of personal liberty—hence it is, that she can lay a rightful claim to the proud distinction of having been the first State in the Union, to have virtually abolished imprisonment for debt, by the mild provisions of her insolvent laws. A citizen of Pennsylvania, who has not been guilty of fraud, and complies with the provisions of the several acts made for the relief of insolvent debtors, cannot now be imprisoned for debt in this State: with this legislative arrangement, both debtor and creditor appear to be satisfied; and how far a further exemption of the person of the debtor, from execution or imprisonment for debt, would really benefit the indigent class of our citizens, is a question worthy of grave and serious consideration. Short credits are, it is believed, essential accommodations, without which the comforts of the poor man would be greatly curtailed, and although by exempting his person from execution altogether, in certain cases, his immunity from restraint would be enlarged, yet it can scarcely be doubted, that, from that very cause, his difficulties to obtain credit for even the necessities of life would not fail to be greatly increased. To guard the public against frauds, and to confine the provisions of the law to the *honest poor*, would be attended with no inconsiderable difficulty: should the subject, however, be presented for your consideration, it will doubtless receive the attention to which its importance will entitle it.

Although our State can boast of as mild, as perfect and as efficient a code of laws as an enlightened course of legislation could produce, or as a well regulated community could reasonably desire; yet there are complaints, and it is believed many of them are well founded, not indeed of any defect in the laws, but of vexatious delays occurring in the judicial administration of them, not ascribable to any want of ability, fidelity, industry or zeal in those whose duty it is to administer them, but owing principally to a defective organization or arrangement of the Judiciary System itself, and an injudicious distribution of duties to be performed, and of the public business to be transacted, among the several tribunals charged with their execution. This is a subject of too grave a character and altogether too important in its consequences to every one of us, to be passed over lightly or treated with indifference. The highest judicial tribunal in the State, the court, in the last resort; from whose decrees and judgments there is no appeal; and whose decisions and the principles established by them, are to constitute the laws of the land, and to continue to be binding upon us and our posterity to the remotest generation; has become so completely surcharged with business, arising from the nature of the duties that have been heaped upon it by the revival of the circuit court system, the natural increase of a spirit of litigation consequent upon a rapid and extraordinarily increasing population, and the manifold and diversified pursuits in which that population is engaged, that the whole of the time of the judges is indispensably devoted to the hearing and hurried decisions of causes—I say the hurried decision of causes, because from the interminable mass of business before them, which is continually increasing, and upon which their unwearied industry and untiring efforts can make no impression, there is no time for research, examination or reflection—the supplicating, anxious appeals of the suitors impel the judges to an exertion of all their energies, to rid the docket of its cumbrous and oppressive load, and decisions are, and necessarily must be hastily made, to enable them to progress with the celerity which the necessities of the country, and a desire to despatch the public business require. Hence the frequent difference of opinion that but too often manifests itself upon the bench, tending to create doubt and uncertainty as to

what the law really is, and which will, it is to be feared, ultimately lead to a want of confidence in our judicial decisions. It is due to the judges that they should be measurably relieved from an excess of labor; it is due to their reputations as jurists, and to the character of their decisions, that they should have some leisure for reading and reflection; but above all, it is due to the good people of the State, in reference to the security and protection of their persons, their reputations and property, that the judiciary branch of the Government should be so constituted, as to afford them that security and protection, by a prompt, vigorous and wholesome administration of the laws. It is to the General Assembly that the people anxiously look for relief in this important particular—some of the existing evils have been attempted to be pointed out—and there is every confidence that the remedy will be applied.

Standing armies have always been considered as dangerous to liberty, and will not be tolerated in a free country—a well regulated militia is the only kind of military force to which freemen should resort for defence upon any emergency, either of invasion or rebellion; but to make that species of force effective, in Pennsylvania, would require a change in its organization and the manner of its discipline, entirely different from those which now exist. It is universally admitted that the present system is generally defective in its provisions and its details, and oppressively burdensome to those upon whom it operates, without accomplishing any adequate, useful purpose.

Volunteers should be encouraged by every honorable incitement tending to induce an increase of that valuable and efficient portion of our military strength—immunities should be granted, privileges conferred, and every facility afforded and provisions made for the prompt organization and complete military equipment of all who are willing to enrol themselves in corps of that description.

It is altogether questionable, whether any thing can be done to render the militia, as such, a better disciplined or more formidable force, than it already is, without the sacrifice of more time and the introduction of a more rigorous enforcement of military tactics and discipline than in a state of peace would be either useful or necessary. More knowledge of the military art, it is believed, would be acquired in one week of actual service, than is obtained in years by the ordinary militia trainings as at present practised.

It is gratifying however to learn, that a military spirit honorable to our citizens, has recently been awakened in many parts of the state, and that a laudable desire to invigorate this arm of our defence, and to cause a more perfect system to be provided than has hitherto obtained, has been generally manifested.

Much valuable information will in all probability be speedily elicited from that source, and should the General Assembly feel disposed to apply the panacea of legislative reform, in accordance with public expectation in relation to this subject, it will give me much pleasure to co-operate with them in any measure that will tend to relieve the system from its objectionable features and those who are embraced within its provisions from its present onerous and useless exactions.

In compliance with the directions contained in the sixth section of the act of the 21st March last, entitled "an act to continue the improvement of the state by canals and rail-roads," public notice was given in newspapers published at the seat of government and in the city of Philadelphia, that proposals would be received at the office of the Secretary of the Commonwealth, until a certain day mentioned in the notice, for loaning to the commonwealth for internal improvement purposes the sum of two millions four hundred and eighty-three thousand one hundred and sixty-one dollars and eighty-eight cents, (the sum authorized by the act aforesaid to be borrowed,) reimbursable at any time after the expiration of twenty-five years from the

first day of July then next. Among the several proposals received (copies of which will be laid before you) that of the bank of Pennsylvania, containing an offer to take the entire loan at a premium of six per cent, or one hundred and six dollars in money for every one hundred dolls. of stock to be created under the act, bearing an interest of five per cent. was accepted, by which transaction the State will receive the very liberal bounty of one hundred and forty-eight thousand nine hundred and eighty-nine dollars and seventy-one cents, of the loan thus made, the sum of one million six hundred and ninety-three thousand two hundred and sixty-four dollars and seventy two cents has been received and applied to the repayment of the temporary loan authorized by act of 12th January, 1831—for the relief of certain turnpike roads, as directed by the act of 21st March last—towards payment of interest which became due on loans on the first day of August last, as authorized and directed by the last mentioned act—in disbursements for work done under old contracts and for payment for labour performed under new contracts, in pursuance of the directions contained in the same act. The reports of the commissioners of the internal improvement fund, and of the board of canal commissioners, will shortly be laid before you, and will exhibit, in detail, the several disbursements, made out of the sums drawn on account of the loan aforesaid, from which it will appear that the payments on contracts, authorized prior to the passing of the act of the 21st March last, amounted to a larger sum than had been anticipated, which will induce the necessity of a pro rata deduction from the several specific appropriations authorized by that act.

The loan of three hundred thousand dollars, authorized by the act of 30th March last, entitled "An Act authorizing a loan of moneys to be invested in the internal improvement fund, to be applied to the payment of repairs, damages, and other demands upon said fund, and for other purposes," was, after due notice given, also taken by the Bank of Pennsylvania, that institution agreeing to pay one hundred and six dollars in money for every one hundred dollars of stock to be created under the said act, bearing an interest of five per cent, that being the best offer received for the entire loan, was accepted, yielding to the Commonwealth the further sum of eighteen thousand dollars, in the shape of a premium or bounty, to be applied in aid of the general interest fund. The whole amount of this loan has been drawn and expended upon the several objects, and for the several purposes, to which, by the act aforesaid, it was directed to be applied. The season having been unusually humid and rainy, breaches in the canal, where the banks had not yet become firm, were more frequent than would have been the case in an ordinary season; besides, some of the streams were raised by sudden freshets to such height, as to cause great injury and destruction, not only to the works in their immediate neighbourhood, but also to the dams erected upon them, which called for a larger expenditure of money for repairs, than would otherwise have been required. As there is no fund left, therefore, to meet the claims for repairs, or for damages along the several lines of canal and railway, or for the payment of wages of superintendents, collectors, supervisors, and lock keepers, an immediate duty will devolve upon the General Assembly to make such provision to meet the several enumerated objects, as in their wisdom they shall find to be expedient and necessary.

The finances of the commonwealth derived from the ordinary sources of revenue established for the support of Government, and those pledged for the payment of the interest accruing upon loans, do not vary materially from those of the last year. By an act of Assembly passed the fourth day of April last, the Auditor General and State Treasurer are required to close their financial year on the last day of October, instead of the last day of November of each year, as had been heretofore established by law, in consequence of which alteration



their accounts transmitted to the clerk of the House of Representatives, at the present session, will exhibit the financial transactions at the Treasury for eleven months only, and not for an entire fiscal year, as formerly. From the reports made by these officers it will appear that the balance in the Treasury on the first day of November last, was one hundred and twenty-four thousand four hundred and eighty-two dollars and eighty-two cents; the receipts into the treasury for eleven months from the 1st of December, 1830, until the 31st of October, 1831, exclusive of loans, but including the premiums paid upon loans, amounted to seven hundred and nine thousand and thirty dollars and three cents; the disbursements for the same period, excluding the sums for internal improvement fund and for internal improvements, but including the sum of ten thousand four hundred and twenty-five dollars and eighteen cents paid to turnpikes and to commissioners for improving the public ground at Harrisburg, amounted to three hundred and seventy-one thousand two hundred and ninety-five dollars and sixty cents, leaving an excess of receipts over ordinary expenditures of three hundred and thirty-seven thousand seven hundred and thirty-four dollars and forty-three cents; for the disposition of this sum and the balance of one hundred and forty-nine thousand four hundred and thirty dollars and seventy-nine cents which remained in the Treasury on the first day of December, 1830, amounting in the aggregate to the sum of four hundred and eighty-seven thousand one hundred and sixty-five dollars and twenty-two cents: I would respectfully refer you to the several reports of the Auditor General and of the Commissioners of the internal improvement fund.

The magnificent enterprise in which Pennsylvania is now engaged in the construction of her stupendous works of internal improvement; the magnitude and extent of her loans, to enable her successfully to prosecute those works; and the necessity, that has occurred, to resort to the enactment of revenue laws to secure the establishment of a permanent fund for the payment of interest; are all of them subjects in which the people have a deep interest, and about which they have a just claim to be correctly and minutely informed. The alarms and apprehensions, however unfounded, which the imposing grandeur, the extent, the diffusiveness and the supposed expensiveness of the works, as they enter into the grave discussions, and are introduced into the serious speculations of the day excite, and the gross misrepresentations to which they are not unfrequently most unjustifiably subjected, will furnish a sufficient justification, it is presumed, for submitting to the people, through the medium of the executive message, transmitted on the present occasion to their representatives a brief account of the origin and progress of the system of internal improvement adopted and prosecuted in this state—and it is the more gratifying that the occasion, of entering upon the performance of that part of my duty to our common constituents, happens at a time when the public works have been so far progressed in, that a large proportion of them are now in full operation, and are giving earnest of extensive future usefulness; when others of them, of considerable extent, will be in a condition for active business early in the next season; and when the residue of those under contract will, it is confidently believed, be finished and in operation in all the next season or early in the summer of eighteen hundred and thirty-three.

To make the subject plain and intelligible to every capacity is my earnest desire, and for that purpose it will be necessary to commence with the movements of the people themselves, to which, it is believed, the scheme of improvement is indebted for its origin, and to enter somewhat minutely into the legislation of the State, which succeeded those movements, commencing with that which took place in the session of 1826, and tracing it down to the present time. Although surveys and examinations had been directed in some parts of

the State, and some of them had been actually made, and arrangements preparatory to the commencement of a system of improvement were in progress; yet it is believed that the celebrated Canal Convention which assembled at Harrisburg in the month of August, 1825, gave the first impulse to public sentiment in favour of commencing a system of internal improvement, within the State, upon an enlarged and extensive scale. By that convention, composed of one hundred and thirteen members, representing forty-six counties, and combining as much talent, respectability of character, and there is reason to believe, as much genuine patriotism as could be found in the same number of individuals, any where, resolutions were adopted, declaring it, among other things, to be the opinion of the convention, "that the improvement of the commonwealth would be best promoted, and the foundations of her prosperity and happiness most securely established, by opening an entire and complete communication from the Susquehanna to the Allegheny and Ohio, and from the Allegheny to Lake Erie, by the nearest and best practicable route, and that such a work is indispensably necessary to maintain the character and standing of the State, and to preserve her strength and resources."

Other resolutions were passed by the convention, in which they expressed their views in relation to the manner in which the public works ought to be prosecuted, &c. And so entirely did public opinion coincide with the views of the convention, in reference to the propriety of making, in the language of the resolutions, "a vigorous and united exertion for accomplishing without delay the connexion of the Eastern and Western waters," that at the very next session of the General Assembly an act to provide for the commencement of a canal to be constructed at the expense of the State, and to be styled "The Pennsylvania Canal," (approved the 25th February, 1826,) authorizing the commissioners appointed by a former act immediately to locate and contract for making a canal and locks and other works necessary thereto from the river Swatara, at or near Middletown, to or near to a point on the east side of the river Susquehanna, opposite the mouth of the river Juniata, and from Pittsburg to the mouth of the Kiskiminitas, and also as soon as they should deem it expedient and practicable to construct a navigable feeder of a canal from French creek to the summit level at Conneaut lake, and to survey and locate the route of a canal from thence to Lake Erie, and the sum of three hundred thousand dollars was appropriated for carrying the provisions of the act into effect. And by act of the 1st April of the same year, the Governor was authorized to borrow, on the credit of the commonwealth, the sum of three hundred thousand dollars, to be vested in the commissioners of the internal improvement fund, to be applied to the construction of so much of the Pennsylvania canal as was then authorized by law to be made or constructed.

In pursuance of the provisions of the several acts just recited, there were in that year (1826) put under contract by the board of canal commissioners twenty-two and a half miles of canal on the Susquehanna and twenty-four miles on the Allegheny river, making a total of forty-six and a half miles—the disbursements for the construction of which for that year, including preliminary surveys, &c. amounted to one hundred and forty-one thousand and seven hundred and thirty-one dollars and thirty-eight cents. This legislative effort of the session of 1826, laid the foundation of a system of internal improvement, which, as might easily have been foreseen, could not fail ultimately to lead to the expenditure of large sums of money on the part of the State for that object. No alarm, however, appears to have been excited in the public mind in regard to what had taken place, but such, on the contrary, was the calm and silent acquiescence on the part of the people, that at the succeeding session of the legislature, another act was passed and approved by the Governor on the

9th April, 1827, entitled "an act to provide for the further extension of the Pennsylvania canal"—by which the board of canal commissioners was authorized and required to locate and contract for making a canal up the valley of the Juniata from the eastern section of the Pennsylvania canal to a point at or near Lewistown—also, a canal, locks, and other works necessary thereto, up the valley of the Kiskiminetas and the Conemaugh from the western section to a point at or near Blairsville—and also a canal, locks, and other works necessary thereto, up the valley of the Susquehanna, from the eastern section of the Pennsylvania canal to a point at or near the town of Northumberland—also, to commence operations on the feeder from French creek to the summit level at Conneaut lake, and to contract for so much as might be adapted to either of the routes in contemplation for connecting the Pennsylvania canal with Lake Erie, for which latter object the sum of one hundred thousand dollars was appropriated.

The act further directed, that if it should appear, after suitable examinations, that a navigable canal could be constructed between a point at or near Philadelphia or at Bristol, or any intermediate point between Bristol and the head of tide water and a point at or near the borough of Easton, then with the consent of the governor the board of canal commissioners were authorized, during the then ensuing season, to locate and contract for making a portion of said navigable communication, the expense of which should not exceed one hundred thousand dollars. Numerous other surveys and examinations were authorized to be made, and the sum of one million of dollars was appropriated to be applied in the manner and for the purposes mentioned in the act. In pursuance of the directions contained in the act just recited, there were put under contract in that year eighteen miles of canal on the Delaware from Bristol upwards; forty miles on the Susquehanna from the eastern division to Northumberland; forty-four and a half miles on the Juniata from its mouth to Lewistown; fifty-one miles between Blairsville and Pittsburg, and nine miles of the French creek feeder; making an aggregate of one hundred and sixty-two and an half miles of canal; the disbursements on account of which for that year amounted to nine hundred and thirty-one thousand nine hundred and seventy-five dollars and ninety-one cents.

I have been thus particular in referring to the several works directed to be put under contract by the act of 1827, because it was the commencement of a scheme of diffusive and unconnected works of improvement, and without expressing any opinion with regard to the wisdom of the measure, (which at this time would be altogether unavailing,) I would simply refer those, who now object to that course of improvement, and insist that the legislation of 1831 in reference to our public works, should have been arrested, to that period, as the one at which a successful intervention to stay the further progress of the public works, might have been attended with consequences of a less injurious character than could have been the case at any time since. Whether the policy adopted by the legislature in passing the act of 1827 was sound or otherwise, is not now the question. The people sustained, and evinced their satisfaction with the measure by again electing a majority of representatives to the General Assembly, favourable to a continued perseverance in further extending and prosecuting works of internal improvement; and on the 24th March, 1828, another act was passed entitled "an act relative to the Pennsylvania canal, and to provide for the commencement of a rail-road, to be constructed at the expense of the state, and to be styled the Pennsylvania rail-road." By this last mentioned act the board of canal commissioners was authorized to contract for making canals, locks, and other works, from the commencement of the Pennsylvania canal, at or near the mouth of the river Swatara, to Columbia, in Lancaster county, from Lewistown to the highest

point expedient and practicable for a canal on the Juniata; from a point at or near Northumberland to Bald Eagle on the West Branch; from Northumberland to the New York state line on the North Branch; from a point at or near Taylor's ferry to Easton; and from Blairsville to the highest point expedient and practicable for a canal on the Conemaugh; providing, however, that only ten miles from the river Swatara to Columbia, not more than twenty-five nor less than twenty, on the West Branch, and not more than forty-five, nor less than fifteen miles of each of the other sections, should be put under contract during that year. The rail-road across the Allegheny mountain was directed to be located, &c. with a view of connecting the Juniata and Conemaugh sections of the Pennsylvania canal, and the rail-road from Columbia to Philadelphia was directed to be put under contract within that year, with a view to its completion within two years or as soon thereafter as practicable: the act authorized further examinations and surveys, and a loan of two millions of dollars.

In virtue of the provisions of this act, there were put under contract in 1828, ten miles and an half of the French Creek feeder, twenty-six and a half miles of canal from Blairsville up the Conemaugh, forty-five miles on the Juniata, twenty-three miles on the west branch, forty-five miles on the north branch, thirty-five miles and a half on the Delaware, and ten miles between Middletown and Columbia, making in the whole one hundred and ninety-five miles and a half of canal; forty miles and an half of rail road formation were also put under contract between Columbia and Philadelphia, and the disbursements required for that year amounted to the sum of two millions seven hundred and eighty-five thousand six hundred and twelve dollars and twenty-four cents.

The act of 24th March, 1828, was followed by that of the 22d of April, 1829, entitled "an act relative to the Pennsylvania canal and rail road," directing the canal commissioners to cause so much of the contracts already made upon the different lines of canal and rail ways to be completed within that year as should be practicable, and requiring them to enter into contracts for the execution of those sections on the Delaware division of the Pennsylvania canal between Bristol and Easton, and the sections of the North Branch division between Northumberland and Nanticoke Falls which had not yet been commenced, and to complete the same if practicable within that year, and the sum of two millions two hundred thousand dollars were directed to be borrowed and appropriated to the several objects contemplated by the act. The works put under contract in pursuance of the directions of this act, were six miles and a half of canal on the Delaware, and nine miles on the North Branch division, and the amount of disbursements required for that year (1829) was three millions seven hundred and thirty-three thousand five hundred and forty-five dollars and ninety-two cents, for canal and rail road purposes.

From the foregoing exposition of the course of legislation that obtained from eighteen hundred and twenty-six, until the close of the year 1829, it will be seen, that extensive sections of canal and rail road formation were authorized to be put under contract during that period, and that large appropriations were necessarily called for from year to year, to carry those contracts into execution; that during and until the close of the administration of my predecessor, four hundred and twenty miles of canal, according to the reports of the board of canal commissioners, but actually amounting to four hundred and twenty-two and a half miles, and forty miles and an half of rail road formation, had been put under contract, which have required, as will be shown hereafter, and still require the disbursement of nearly the whole amount of the large sums of money, that have hitherto been borrowed from year to year, for internal improvement purposes, but so partial

were the majority of the people to their favorite project of internal improvement of the State, that it was not until the unpropitious and unfavorable course of things which occurred in the summer of eighteen hundred and twenty nine, when the credit of the commonwealth became depressed, and the confidence of capitalists and of monied institutions had been shaken in regard to the sufficiency and ability of the fund pledged for the payment of interest, when permanent loans could not be obtained, and money could with difficulty be borrowed on temporary loan to answer the pressing emergencies of the State, and when the late executive was reduced to the necessity of requiring a special session of the legislature to relieve the commonwealth from the embarrassments which were pressing upon it on every side, that any uneasiness or alarm was discoverable on their part; nor had any opposition to a progressive system of improvement until then, manifested itself by petition, or in any shape other than by the negative votes of members of the legislature constituting the minority in either house. It was this unpropitious state of the commonwealth's affairs that induced the message of the 14th day of January, 1830, to the two Houses, exhibiting the state of the indebtedness of the commonwealth, and pressing upon them the urgent necessity of providing a fund for the payment of interest which should be both ample and permanent. This measure was again earnestly pressed in the last annual message to the legislature, and in that accompanying the return of the bill of the 21st March last, entitled "an act, to continue the improvement of the state by canals and rail roads," to the House of Representatives. Whatever may have been the effect of these several messages, one thing is certain, that in a very short time after the first of them had been read in the two houses, capitalists and monied institutions vied with each other as to which of them should obtain the State loans; high premiums were offered and obtained, under the conviction and in the entire confidence that an adequate fund for the punctual semi-annual payment of the interest would be established, the commonwealth has ever since been enabled to borrow all such sums as her exigencies from time to time required, upon terms highly advantageous to her financial operations, and flattering to the state of her credit, and the sum of three hundred and eighty-six thousand nine hundred and eighty-nine dollars and seventy-one cents, has since been paid into the Treasury, in the shape of premiums upon loans. To this prosperous condition, in which the credit of the state has been placed, is to be ascribed to the delay for the necessity of calling upon the people for their contributions to supply the interest fund, the premiums paid upon loans having, until the last semi-annual payment of interest which became due on the first of August last, so far aided in replenishing that fund, as to enable it to meet the entire payment of the interest as it became due. On the day last mentioned, however, a deficiency in that fund amounting to the sum of twenty-six thousand two hundred and seventy-six dollars and ten cents, occurred, for which sum it became necessary to resort to the general appropriations for the construction of canals and rail roads, as authorized by the act of the 30th of March last. As however, this mode of supplying the interest fund by premiums to be paid upon loans cannot be expected to continue, and would, under any circumstances, be too capricious and unsafe to be relied upon; and there is reason to believe, that increasing deficiencies will occur, in the interest fund, for a time, until the tolls arising from the public works shall be sufficient to supply them (for information in relation to which the General Assembly is referred to the report of the commissioners of the internal improvement fund,) it will become necessary to supply those deficiencies by a resort to the revenues authorised to be collected by the several acts of assembly, entitled an act assessing a tax on personal property, to be collected with the county rates and levies, for the use of the commonwealth,

and "an act to increase the county rates and levies, for the use of the commonwealth," passed respectively the twenty-fifth day of March last.

No honest citizen of Pennsylvania can desire a recurrence of the difficulties and embarrassments, which pervaded the financial transactions of the state in 1829, especially those which pertained to its works of internal improvement, and I trust that none will repine at the payment of a sum so small as that which the acts referred to will require of him, when he must feel assured, that what he pays is to aid in promoting the public welfare, to advance the prosperity and happiness of the people, "to maintain the character and standing of the State in which he lives, and to preserve her strength and resources," and when he is assured, that no other exaction will be required of him in reference to the objects which now create the necessity for the demand, nor will those now demanded of him be required for a longer period than the five years to which the several acts referred to have limited them. Every other state engaged in the improvement of its internal condition, has, it is believed, resorted to taxation for the payment of the interest upon its loans—the State of New York, to a heavy tax upon the salt manufactured within the State, and even the comparatively young State of Ohio, which but the other day was a howling wilderness, but which is acquiring immortal honor, in consequence of the splendid and magnificent works of internal improvement now constructing within it, whose citizens are laboring under all the disadvantages attending upon an almost entire absence of the circulating medium, and all the other difficulties and privations incident to a new country, from the very commencement of its public works, resorted to taxation to meet the interest upon loans for their construction. I have every confidence in my fellow citizens, that as soon as they shall be convinced of the necessity of the measure, and knowing as I do, the jealousy with which they watch over and guard their individual credit, and that with which their patriotism would inspire them in regard to the integrity and safety of that of the State, their objections to making a small contribution annually, for a short period, towards an object which has progressed too far to be abandoned, which has cost too many millions to be now arrested in its successful career, and suffered to go to ruin, and which promises too much future usefulness in elevating the character of the State, developing its resources, and increasing the prosperity, and adding to the wealth and happiness of its people, to be suffered to languish for the want of means so inconsiderable as those required by the revenue bills to which I have referred, must entirely cease. The responsibility incurred in recommending such a measure is felt in all its force; the necessity of the measure to sustain the credit of the State, will, it is believed, ensure its justification; but should it be otherwise, I have only to say, that the man who would prefer an ephemeral popularity to the solid interests of his country, is unworthy of public confidence, and his claims to public favor are certainly not to be envied.

By an act of assembly, entitled "An act to authorise a loan to defray the expenses of the Pennsylvania canal and rail road, and continue for a further time, 'an act to incorporate the subscribers to the Bank of Pennsylvania'" passed the 13th of March, 1830, that institution was required to lend, and the Governor was authorised to borrow on the credit of the Commonwealth, a sum or sums of money, in the whole not exceeding four millions of dollars, at a premium of five and a half per cent. to be paid into the State Treasury, in instalments as mentioned in the act, and bearing the interest of five per cent. per annum, to be applied to canal and rail road purposes; and by the same act the Bank of Pennsylvania is required to loan to the Commonwealth one million of dollars annually, for the term of three years from and after the first day of January, 1831, bearing interest at the rate of five per cent. per annum, provided that the



same shall be required by law during any one of the three years mentioned in the act. And by another act, passed on the twenty-seventh of March, in the same year, entitled "an act making further appropriations for canals and rail roads," the board of canal commissioners was directed to cause so much of the contracts already made upon the different lines of the canals and rail roads as could be done, to be completed within that year, and they were enjoined in no way to enter into new contracts for the extension of any line of canal or rail road, except for the erection of a dam at or near Johnstown, and the construction of a canal and necessary works from thence to section number fifty-seven on the Ligonier line, for the purpose of introducing the water into the Ligonier line of the western division of the canal. Several surveys were directed by this act, and the sum of three millions four hundred and fifty-nine thousand five hundred and thirty-two dollars, were appropriated to be applied to aid in the payment of the temporary loans theretofore made, and to canal and rail road purposes, and to be paid out of the loans of that year. In pursuance of this act, three and a half miles of canal below Johnstown, on the western division, were to be put under contract, and the sum of three millions one hundred and thirty-seven thousand eight hundred and forty-four dollars and eight cents, were disbursed in pursuance of the directions of the last mentioned act.

It may be proper here to remark, that the amount actually paid to the board of the canal commissioners, up to the twenty-first of December, 1830, the date of their last report, was ten millions two hundred and forty-six thousand five hundred and sixty-six dollars and forty-six cents. Of this sum, sixty-four thousand two hundred and fifty-five dollars was disbursed in building a dam across the Conemaugh, and constructing three miles and a half of canal for introducing the water into the Ligonier line in the neighborhood of Johnstown, and ten millions one hundred and eighty-two thousand three hundred and eleven dollars and forty-six cents, were disbursed in satisfaction of contracts entered into in the years 1826, 1827, 1828, and 1829.

The last act of legislation that took place in relation to this all important subject, was the act of the last session, entitled "an act to continue the improvement of the State by canals and rail roads, passed the twenty-first day of March last, requiring the canal commissioners to complete, as soon as practicable, the whole of the rail road between the rivers Schuylkill and Susquehanna, beginning at the intersection of Vine and Broad streets, in the city of Philadelphia, and thence extending to the end of the canal basin at Columbia, in the county of Lancaster," towards the completion of which, during the present year, the sum of six hundred thousand dollars was specifically appropriated. They were also directed forthwith to complete the projected canal between the western termination of the rail road at Columbia, and the best point of junction with the Pennsylvania canal at Middletown, in the county of Dauphin, including an aqueduct over the river Swatara, and outlet locks to the river at Columbia, for the expenses and costs of which several works, the sum of one hundred and sixteen thousand one hundred and seventy dollars, was specifically appropriated. They were also directed to commence forthwith, and prosecute without delay, a rail road over and across the Allegheny, mountain, from the basin at Hollidaysburg, in the county of Huntingdon, to Johnstown, in the county of Cambria. Also, to commence and prosecute without delay, the extension of the Juniata division of the Pennsylvania canal from the town of Huntingdon, in the county of Huntingdon, to the basin at Hollidaysburg, in the same county, either by canal or slack water navigation, towards the expenditures of which rail road and canal or slack water navigation, during the present year, the sum of seven hundred thousand dollars was specifically appropriated. They were also required to extend, without delay, by canal

and slack water navigation, the west branch division of the Pennsylvania canal, from the Muncy dam in the county of Lycoming, to the mouth of the Bald Eagle creek, in the same county, towards the expenses whereof, during the present year, two hundred thousand dollars were specifically appropriated. Also, a water communication between the town of Lewisburg, in Union county, and the nearest and best point on the west branch division of the Pennsylvania canal, for which the sum of twenty-five thousand dollars was specifically appropriated. Also, the north branch division of the Pennsylvania canal, from the pool of the Nanticoke dam, in the county of Luzerne, by canal or slack water navigation, not to exceed fifteen miles in the same county, towards the expenses whereof, during the present year, the sum of one hundred thousand dollars was specifically appropriated. They were also directed to make a canal or slack water navigation from the Allegheny river, at the mouth of French creek, and up that creek to the French creek feeder; towards the expenses whereof, during the present year, the sum of sixty thousand dollars was specifically appropriated. Also, to make a canal or slack water navigation, from the Ohio river, at the mouth of Big Beaver creek, up that creek to the town of New Castle, towards the expenses whereof, during the present year, the sum of one hundred thousand dollars was specifically appropriated. All of which several specific appropriations were directed to be paid out of the loans directed by said act to be made. And the Governor was authorized to borrow, on the credit of the commonwealth, the sum of two millions four hundred and eighty-three thousand one hundred and sixty-one dollars and eighty-eight cents, to be applied to the several objects enumerated in said act. In pursuance of the directions of the act just recited, the board of canal commissioners have put under contract the Columbia and Philadelphia rail road, in length eighty one miles and a half, the whole cost of which, including steam engines, and necessary works, is estimated at a sum of two millions two hundred and ninety-seven thousand one hundred and twenty dollars and twenty-one cents. The Allegheny portage rail road, the whole length of which, from the lower end of the basin at Johnstown, to the lower end of the basin at Hollidaysburg, is thirty-six miles two hundred and twenty-one perches, and the estimated cost thereof, including steam engines and all necessary works, is one million two hundred and seventy-one thousand seven hundred and eighteen dollars and eighteen cents. The north branch division of the Pennsylvania canal, from the foot of the Nanticoke dam, a distance of sixteen miles and three hundred and sixteen perches, exclusive of the feeder, three miles and three hundred and five perches slack water, and thirteen miles and eleven perches of canal, the estimated cost whereof is two hundred and twenty thousand five hundred and ninety-four dollars and fifty-six cents. The Lycoming line or west branch division of the Pennsylvania canal from Muncy dam to the mouth of the Bald Eagle, consisting of thirty-one miles and twelve perches of Canal, ten miles and fifty-six perches slack water, together forty-one miles and sixty-eight perches, the estimated cost of which is five hundred thousand, five hundred and eighty-seven dollars and fifty-four cents. The Lewisburg Cross Cut, two hundred perches in length, and to cost twenty-two thousand dollars. The Frankstown line, consisting of twenty-two miles and one hundred and fifty-six perches of Canal, and fifteen miles and two hundred and sixty-six perches towing path or slack water, making together thirty-eight miles and one hundred and two perches in length, the whole cost of which is estimated at the sum of six hundred and ninety-eight thousand, one hundred and eighty-one dollars and fifty-six cents. The Beaver division, extending from the Ohio river, at the mouth of the Big Beaver Creek to the town of New Castle, consisting of sixteen miles and 224 perches of slack water, and eight miles and 16

perches of Canal, making together twenty-four miles and 240 perches in length, and estimated to cost three hundred and thirty-five thousand, three hundred and seventeen dollars and eighty-two cents. The Eastern division, consisting of eight miles and two hundred and twenty perches, between Middletown and Columbia, and outlet lock at Columbia, the estimated cost of which is one hundred and thirty-three thousand, eight hundred and four dollars and fifty-two cents; and the French creek division from the Allegheny river at the mouth of French creek, and up that creek to the French creek feeder, consisting of seventeen miles and thirty-six perches of slack water navigation, and five miles and fifty-two perches of canal; in the aggregate twenty-two miles and eighty-eight perches, the estimated cost whereof is two hundred and seventy thousand six hundred and eighty-one dollars and thirty-two cents. The whole extent of new works partially put under contract under the last mentioned act is in the aggregate about two hundred and sixty-seven miles, which added to four hundred and twenty-six miles of canal already finished will, when the whole shall be completed, form an extent of improvement by Canals and Rail Roads of six hundred and ninety-three miles.

The whole estimated cost of the works contracted for in virtue of the provisions of the act last mentioned is five millions seven hundred and fifty thousand and five dollars and seventy-one cents. For the details in reference to how far the funds arising from the loan negotiated under the act of 21st March last, will be available, and what a sum will be required to be borrowed for the further prosecution of the several works to completion, I beg leave to refer the General Assembly to the report of the board of Canal Commissioners.

Of the works recently put under contract and which have just been enumerated, the Columbia and Philadelphia Rail Road, the Allegheny Portage Rail Road and the Frankstown or Juniata line of Canal and slack-water navigation are important connecting links of the line of improvements between Philadelphia and Pittsburgh, without which the several detached lines or divisions which they are intended to connect, would remain comparatively unproductive, but when connected, will not fail to become highly useful and eminently productive. The works contracted for on the North and West branch divisions on the Susquehanna are extensions into the Coal regions of these several districts, which will, it is expected, add largely to the active business of those several lines of Canal, give vigor and energy to the industry of those sections of the state, and by affording the means of conveying a valuable and now almost indispensable mineral to market, will greatly increase the comforts of the citizens of this and of other states, and render the main branches of which they are extensions, highly useful and profitable. The improvements from the Allegheny river at the mouth of French creek feeder; as also that from the Ohio river at the mouth of the Big Beaver creek, and up that creek to the town of New Castle, will afford great accommodations to a large and fertile district of country, and by opening safe communications by water to the Allegheny and Ohio rivers, will stimulate the further enterprise of its many enterprising citizens, and facilitate the conveyance of their numerous, diversified and valuable productions to the several markets to which those magnificent rivers lead. I would beg leave here to suggest the propriety of making an appropriation at this session, sufficient to connect the French creek feeder with the French creek and the Conneaut lake, according to the original design, as without such connection it must always remain a most useless and unproductive work, but if so connected, it may become useful and conduce greatly to increase the business upon the French creek improvement, and to render that a productive and profitable navigation. It is anxiously hoped that the means for finishing the

several works now under contract and in active progress will be liberally furnished, and that nothing will be omitted that may have a tendency to facilitate their completion and to render them productive, in order that the state may soon realize the abundant harvest from them which their extent and the magnificent scale on which they are constructed give so much reason to anticipate. The whole amount of money which has been paid to the Treasurer of the Board of Canal Commissioners up to the 23d November, was twelve millions, three hundred thirty-four thousand, four hundred eighty-eight dollars and sixty-two cents—of this sum two millions, ninety-two thousand, seven hundred and two dollars and thirty-seven cents, have been received by him since the date of the last report of the Board of Canal Commissioners, out of which the sum of one million two hundred sixty-one thousand, two hundred and sixty-six dollars seven cents, was paid out for repairs and damages connected with and on account of old contracts entered into prior to the year 1830, in which year but three and a half miles of canal were authorized to be constructed. This sum of twelve millions, three hundred and thirty-four thousand, four hundred and eighty-eight dollars and sixty-two cents, with the additions that will be required to finish the several works may seem large to most of my fellow citizens, and to constitute a debt that neither we nor our posterity will be able to discharge. I am not one of those who believe a public debt to be a public blessing, nor would I willingly lend my aid as a public functionary to involve the Commonwealth in a visionary scheme of imaginary improvement, the success or practicability of which would be entirely of doubtful experiment, and the utility or public advantage of which would be altogether problematical or uncertain. Neither of these is in my opinion the case with the plan of improvements now prosecuting in this state: but if it were otherwise, there has been no period within the last two years when the progress of the system could have been arrested without producing consequences not only involving in inextricable ruin and destruction individuals, contractors and others, largely engaged in the construction of the works, but the state itself in difficulties of the most disastrous character, from which it could not have been extricated without incurring the imputation of pursuing a vacillating course of policy, and of a want of good faith in its transactions with individuals; besides being justly chargeable with a want of that bold and magnanimous spirit of enterprise which her abundant resources and the wealth and prosperity she enjoys in such profusion would justly entitle her to entertain and to indulge; the loss of from ten to twelve millions of dollars, and the abandonment to ruin and entire destruction of works, which, when finished, would be considered proud monuments of Pennsylvania's wisdom and greatness, but if abandoned, must and inevitably would be considered the degrading monuments of her imbecility and folly, would, I should suppose, satisfy the most sceptical of the consummate disgrace and ignominy to which such a course of policy must necessarily have subjected her. Besides, without in that case possessing a single work of valuable improvement within the state, her debt, with all the interest accumulating thereon, would, without any aid to be derived from any other source, be drawn from the pockets of the people by a heavy and burdensome taxation. If we may judge from the operations of the New York Canals, which in that great State have, in the course of a few years, caused cities to spring up in the midst of a howling wilderness, and the wilderness itself to be converted into fruitful fields and to become the resort of the industrious and enterprising from all sections of the country, and which from their almost incredible productiveness leave no room for doubt that in the course of a very few years they will not only pour into the Treasury of the state the millions which their construction cost, but will produce a revenue thereafter permanent and ample for all

the purposes to which the State may desire to apply it; we can scarcely permit ourselves to entertain a doubt that a similar state of prosperity and success awaits us and will in a short time manifest itself in the operations upon our own public work; our means of giving full employment to our Canals and Rail Roads, when they shall have been finished, being at least equal to, if not greater than those of the state of New York. The abundance of our Coal and Iron, of the former of which they possess none, and of the latter comparatively but small quantities, will give our works advantages in reference to their active business which theirs do not possess; in all other respects too the quantity of our agricultural and other productions which will require transportation to market, and will seek that by the Canals and Rail Roads, will be at least equal to theirs. May we not then indulge the very reasonable hope, that, if their public works will in a few years pay for themselves by the revenues they produce, ours will do so likewise if we will only exercise sufficient patience to see them finished and placed in a condition to accomplish so desirable, but at the same time so certain a result.

Owing to the unusually protracted rainy season and the continual state of humidity and moisture produced in consequence of it, the public works, which had been finished in the fall of the last and early in the spring of the present year, were not so productive as had been anticipated. The works being new, the frequent heavy rains affected the banks of the canals which had not become sufficiently settled and firm, and produced repeated breaches, in consequence of which the navigation was often interrupted and rendered precarious and unsafe in regard to the delays which were necessarily by that means occasioned, which begat a want of confidence in the security against the hindrance and want of expedition, to which the transportation of produce to market, or for return lading upon the canals, would thus necessarily be exposed.

The heavy freshets too, which swelled the Conemaugh and Kiskiminetus rivers to an extraordinary height, caused great injury and destruction to the public works along the western division of the canal; and the dam at Lechburg, or a large proportion of it having been carried off, it became necessary to construct a new one; this work being an extensive one, required considerable time for its accomplishment, and caused the operations upon that division of the canal to be protracted from early in the month of July, until the present time, but it is rapidly approaching a state when the water will again be introduced, and the navigation restored to its former prosperous and useful condition. The several divisions of the Pennsylvania canal which have recently been in a condition for safe and active navigation, and which give great promise of realizing all the solid advantages, and fulfilling the high expectations in future, which the friends of the system have not ceased to anticipate from them, are the Eastern division from Middletown to Duncan's Island, twenty-four miles in length, part of the Susquehanna division from the out-let lock at Duncan's Island to the commencement of the Juniata division, one mile and fifty-eight-hundredths long; the Juniata division extending from Duncan's Island to section No. 184, a quarter of a mile above the town of Huntingdon, in Huntingdon county, being eighty-nine five-one-hundredths miles in length. The Susquehanna division extending also from Duncan's Island to the south end of the towing path bridge at Northumberland, being thirty-nine miles in length, including one-fifty-eight hundredth mile above mentioned; the North Branch division extending from its intersection with the West Branch, in the basin at the town of Northumberland, to the feeder dam at Nanticoke falls, being fifty-five and a half miles in length, and the Western division above mentioned, extending from Johnstown, in the county of Cambria to the out-let lock into the Monongahela at Pittsburg,

being in length one hundred and four miles and thirty-three hundredths of a mile, to which may be added the Delaware division from Bristol to Easton, being in length fifty-nine miles and three-quarters, and into which throughout its whole length, it is understood, the water has been very recently admitted.

The amount of tolls received upon the several divisions of the canal, (owing to the causes I have mentioned,) up to the 31st October last, was thirty-eight thousand two hundred and forty-one dollars and twenty cents. It is estimated that the receipts into the treasury from that source, will in the whole of the next season amount to the sum of one hundred and fifty thousand dollars.

For the state of the public works now under contract, and the time of their probable completion, you are respectfully referred to the report of the canal commissioners which will contain, in detail, all the necessary information in reference to the various subjects connected with the internal improvement of the State.

It is a fact, that redounds greatly to the honor of this State, and the recollection of it must always be gratifying to its citizens, that Pennsylvania was the first State in the Union to commence and prosecute with success the improvement of her internal condition. The first turnpike road ever constructed in the United States is indebted for its commencement and completion to the State of Pennsylvania, and although avarice and prejudice had well nigh demolished that proud monument, the Philadelphia and Lancaster turnpike road, reared by the spirit of improvement that manifested itself so early a period, by a fierce and violent opposition to it in all its stages; still perseverance overcame opposition; the highly useful and valuable enterprise was eventually completed, and the distance between Philadelphia and Lancaster, which before its construction required nearly as much time to travel it as now occupies the mail stage to perform the journey between Philadelphia and Pittsburg, is now travelled in less than a single day. The success of this substantial and highly useful memorial of the determined perseverance of its projectors, caused the spirit of improvement to spread throughout every portion of the State, and although the spirit of opposition continued, those of improvement and of patriotism triumphed, and we have now within this happy commonwealth, more than twenty-five hundred miles of turnpike roads, and notwithstanding the uniform opposition that has always manifested itself against every attempt to enter upon a new project of improvement, Pennsylvania has now within her limits internal improvements, consisting of turnpike roads, canals, railways, and bridges, all of them constructed since the year seventeen hundred and ninety-one, for which there has been disbursed from the public treasury of the State, and by corporations, a sum exceeding thirty-seven millions of dollars, and yet, after all these large disbursements, Pennsylvania has not been impoverished, nor is she less prosperous now than she was before these improvements were constructed, and the disbursements made: on the contrary, her prosperity has been greatly enlarged, and the wealth, the comforts and the happiness of her people have been most astonishingly increased. What would have been the condition of Pennsylvania, if her turnpike roads had never been constructed, and her bridges had not been built? In that case, instead of possessing an extensive territory of fertile and luxuriant soil, eminently improved, studded with numerous and splendid, and highly cultivated farms, embellished with beautiful and substantial dwelling houses and barns, and exhibiting one continued scene of abundance, wealth and continually increasing prosperity and comfort, the consequences of the encouragement given, by the opening of those numerous avenues to market, to industry and enterprise, and the strong inducement to increase production thus excited; we should present an immense unimproved surface, with here and there a hut, a slovenly, careless,



indifferent state of agriculture which the want of encouragement, by opening the necessary avenues and conveniences to market, will always produce, and a state of squalid poverty and wretchedness that would contrast badly with the richness of our soil, and the numerous advantages with which the God of nature has favored us, and which he designed we should improve with a view to an increase of our comforts and happiness.

The northern and western regions of Pennsylvania present strong claims for legislative attention to their several interests, and their respective wants. Possessing throughout a rich and exuberantly productive soil, a healthy climate and a capacity to admit of a numerous and dense population, and eminently calculated to confer on that population the blessings of health and abundance, which in connexion with the cheapness of the soil cannot fail to hold out strong inducements to the emigrant, and especially to the young, the industrious and the enterprising to seek for the comforts and advantages in those sections of the State which are denied to them elsewhere.

The rapid increase of population in that region of the west, which lies between Pittsburg and Lake Erie, and the spirit of enterprise and improvement which is every where visible, the active industry and intelligence of its population, its mineral productions and its entire adaptation to every species of production known to agriculture, or to the most enlarged state of proficiency to which husbandry has attained, give it strong claims to a participation in the advantages of the public improvements now constructing by the State, by opening a line of communication from Pittsburg to Erie Harbour by such route as shall be deemed to possess the greatest possible advantages. The great superiority which a line of improvement, connecting the great eastern and western waters with Lake Erie, would have over the Erie canal, in the State of New York, by presenting an open and safe navigation from four to six weeks earlier in the Spring, and from two to four weeks later in the fall than that afforded by the great New York improvement, would not fail to draw into this State, a large proportion of the trade from the territory of Michigan, and also of that of the State of Ohio. The rapid settlement, and the immense advantages that would immediately result from such an improvement, would not only tend to increase the prosperity of an immense fertile territory, but would add largely to the general wealth, and eminently increase the power, the strength and resources of the State.

The same observations which have been made with regard to the great western region, will apply with all their force to that of the north, and to its valuable, enterprising and industrious population. The people on the North Branch of the Susquehanna, present, it is believed, as strong claims to legislative attention, with regard to a distribution of its scheme of improvements and an extension of them into that region from the end of the canal now constructing on the North Branch, to the line dividing this State from that of New York, as can be presented from any quarter. A canal or slack water navigation to the State line, would, by a canal for a distance of sixteen miles from thence to the town of Elmira, in the State of New York, give a connection through the Chemung and Seneca canals, and the Seneca and Cayuga canal, with the great Hudson and Erie canal, and thus open a water communication with all the interior of the State of New York. An examination and survey of the route from the waters of the Susquehanna to the Seneca lake was deemed sufficiently important by the legislature to have authorized and caused it to be made during the administration of the late Governor Snyder. It is believed that the advantages resulting from such an improvement would be incalculable—it would possess all the advantages in common with a communication with Lake Erie above referred to, in regard to a more early and late navigation in the

Spring and Fall than any of the New York canals would afford. Much of the produce of that great and productive State would find vent to the eastern and southern markets by the Pennsylvania canal, and the salt and plaister that would be brought into this State from the State of New York, and the coal and iron that would be taken from Pennsylvania into that State in return, would it is believed abundantly justify the enterprise.

The improvement of the navigation of the Monongahela by means of a slack water navigation from near Pittsburg to Brownsville in the county of Fayette, and the final extension of the canal from Easton to Carpenter's Point on the Delaware, are subjects, it is believed, too important to escape the attention of the legislature.

Having pointed out the eminent advantages which would result from the improvements contemplated in the regions of the West and of the North, and suggested the propriety of improving the navigation of the Monongahela and of the extension of the canal from Easton along the line of the Delaware to Carpenter's Point, it remains for you, to whom the revenues of the commonwealth have been committed, and by whom they can alone be appropriated, to direct when, in what manner, and to what extent those works shall be commenced and prosecuted with a view to their final completion.

The act of incorporation, long sought for by the citizens of York county, granting them the privilege of constructing a rail road to the Maryland line, might, it seems to me, be extended to that enterprising people, without the danger of compromising the interests of the State of Pennsylvania—when all are to bear their proportion of the public burdens, it is but reasonable that all should participate in the public benefits.

I have received, during the recess of the legislature, from the Governors of the States of Connecticut, New Hampshire, and Maine, communications enclosing Resolutions of their respective State Legislatures, copies of which will be laid before you.

All the duties enjoined upon the executive by the laws or by resolutions of the legislature, have been promptly discharged.

With the assurance of a most cordial co operation with you in all such constitutional measures as you shall in your wisdom deem it expedient to adopt for the public good, I commend you to the direction and guidance of Him who alone can lead you in the course of your deliberations, to wise and happy results.

GEO. WOLF.

Harrisburg, December 7, 1831.

## INDICTMENT FOR MURDER.

*Commonwealth vs. John Pinchback.*

This case, which was attended with some circumstances, partaking sufficiently of the marvelous to excite some little interest, came on to be tried at the late Court of Oyer and Terminer, held by Chief Justice Gibson and Judge Kennedy. A short account of it is as follows.

Some time in the month of March, 1827, a man by the name of Richard Barker, between fifty and sixty years of age, was found at an early hour in the morning, in an expiring state, on the payment in Shippen street, and near an Oyster Cellar kept by a man named Smith Crowl—was removed to the Hospital just in time to breathe his last. Deceased had been several days in that neighbourhood, where he had some acquaintances among a *certain class*, which he had made several years before, on a former visit to the city. With some of these, it seems he had the reputation of being acquainted with the *black art*—a conjuror, and was reported also to have large sums of money, which he carried secreted under the patches that covered parts of his dress. He was seen at an early hour in the evening previous to his decease, in a state approaching intoxication, and later at a dance house, which he left in com-

pany with the prisoner, and one Davenport (against whom a Bill was also found,) and retired to the cellar of Smith Crowel, who has likewise been since indicted. Baker's sudden decease, and certain suspicious circumstances related by a woman, together with the departure from the city of the persons report seemed to implicate, induced the police immediately to set on foot inquiries. But the most strict search and examination could illicit no evidence sufficient to charge any person with the murder of Barker, and here the matter dropped, it being generally supposed he came to his death in the course of nature, precipitated, perhaps, by the debauch in which he had been engaged.

More than four years having elapsed, and when all surmises and suspicions that may have existed in the minds of some, had long since slept, and the individuals towards whom they were pointed, having returned to the city, and one of them at least, pursuing a prosperous course of life, the attention of the public was again roused to the subject in the following manner.

A woman who might be 25 years of age, of respectable appearance, dressed in deep mourning, calling herself Lucinda Barker, and the wife of the deceased, came to this city the forepart of last summer, from the western part of the state of New York, as she said, to search out the murderers of her husband, it having been revealed to her they were here; and going among those who knew some circumstances connected with the affair at the time, succeeded in having the prisoner and Crowel arrested (Davenport being in prison at Auburn,) and true bills were returned by the Grand Jury against all three, for the murder of Richard Barker, by administering laudanum. The account Lucinda Barker gave on her examination as a witness in the case, and in which she was permitted at her own desire, by all parties, to tell her story in her own way, was to the following effect.

"I am the widow of Richard Barker, deceased. I married him in the state of New York; he would, if living, be about forty-seven years of age; we lived at one time opposite Hudson, then at Manlius Square—then in the city of New York, and after on a farm in Anandagua county, which his father assisted him to. We had several children most of whom were put out. My husband, for some time previous to his last visit to this city, led a trading, roving kind of life—he would be away several months together; he had been gone a longer time than usual—I could hear nothing of him. It was reported that a man had died on the canal that might be him—I heard also some rumor about one of his name who died in Philadelphia; but I knew not whether he was living or dead. I was distressed in mind, and determined to visit his father, who lived several hundred miles off—he could tell me nothing—he said he might be dead, he might be in England (his father was an Englishman.) I had travelled a long way, and had spent all my money, or should then have pursued further. I returned, being unhappy in mind I prayed a great deal, and asked my friends to pray with me, that his fate might be revealed to me. I had prayed one night to a late hour, calling frequently on his name, when at last, a square figure-like, dressed in a white shroud entered the room—it stood before me, and pronounced my name three times—it said Lucinda, Lucinda, Lucinda, pursue my murderers, you will learn who they are from the police of New York and Philadelphia. I answered quickly and repeated it, I will, I will, while I have strength and life, and then it vanished. They have talked here of my dreams, and the papers have published about it—it was no dream; yes, I have had dreams too, but this was not a dream, I was awake as I am now; I both saw and heard what I state to you—am I not upon my oath? I can't be mistaken, I can't have forgot—no, that's impossible." When asked what kind of a voice it was, she said it was an "inner voice." What's curious is, that from some facts that appeared in the course of the trial, it is altogether un-

certain whether the deceased was in fact this woman's husband. An indenture was found in his possession, by which he had apprenticed a son, by the name of George Barker, to a man in Erie, Erie county, Pennsylvania. She said she had no son residing there. One of her sons was called George W. Barker, and was apprenticed in one of the western counties in the state of New York. The testimony made the age of the deceased if now living, to be sixty or upwards. Her husband, she said, would have been forty-seven. But this, as was admitted, had little to do with the guilt or innocence of the prisoner.

Phiebe Schull was called as a witness—she stated that about 12 o'clock at night, she went to Smith Crowel's cellar, where deceased, prisoner, Davenport and Crowel were; that they refused her admittance; her suspicions were roused, from this and some other circumstances that had occurred the early part of the evening, that they intended the old man injury. She remained outside of the door for about an hour.—Davenport came out, went up street, and returned in about fifteen minutes, with a tumbler two-thirds full of something she took to be laudanum. Witness looked through a crack in the door, the tumbler passed round, Pinchback and Davenport pretended to drink but did not, while deceased drank first time about half, and second time nearly all the balance—they called it brandy. She remained near an hour longer and went home. They were then all talking and laughing. The witness was very ignorant—frequently crossed herself on her cross-examination. It was proved, by two respectable witnesses, that she could not have seen through the crack in the door what passed in the third box in the cellar where the company were seated. Manderfield, one of the police, proved she had given, on other occasions, and particularly at that time, an account differing, in many respects, from the above. There was some evidence that twelve and a half cents worth of laudanum had been sold at a drug shop in the neighbourhood, about twelve o'clock that night, but no evidence as to the identity of the person. One of the watch proved there was a light burning in the cellar till two or three o'clock in the morning—but this he also stated was not unusual. A Mrs. Wallace testified she saw deceased early in the morning before he expired—thought his breath smelt of laudanum—he was frothing at the mouth; she had been told before she saw him that laudanum had been given him. There was no *post-mortem* examination of the stomach. Other witnesses were called, one of whom testified to certain rash expressions of Davenport, relating to deceased, made forepart of the evening. This was about the substance of the evidence on the part of the Commonwealth. No witnesses were called in behalf of the prisoner. The case was then argued to the Jury by Ash, attorney-general, for the Commonwealth, and by Holcomb and H. Hopkins, for the prisoner.—The Jury, after receiving the charge of the Court, returned, without leaving their box, a verdict of *Not Guilty*.

Verdicts of Not Guilty were then taken, by consent, in the cases of Davenport and Crowel, the attorney-general stating he had no further testimony against them than had been exhibited against Pinchback; that as to Crowel he had much less—nothing indeed that could in any way fairly implicate him.—*U. S. Gaz.*

Five miles west of this place, on the Newton and Berwick turnpike, uncleared land is selling for \$2 50 and \$3 00 per acre. This land is not very hard to clear, and if cultivated properly would bring excellent crops of grain and grass. Persons desirous of emigrating from the lower counties can purchase good land in this county at very reduced prices. The county is fast increasing in wealth and population, and in ten years more will be second but to few in the state. The population is now upwards of 29,000.—*Towanda Settle,*

From the Berks and Schuylkill Journal.

### IRON MANUFACTORIES.

Aware that the accompanying Statements of Iron Manufactures of this county, are not as relatively correct as could be wished, I nevertheless have been induced to lay them before the public in their present imperfect form, to elicit correction from those immediately interested in their details. They are based partly upon returns from several of the specified iron works, and partly from data furnished by the experience of J. U. Schneider, Esq. and Mr. Simon Seyfert, and were thus hastily thrown together to convey to the recent "Convention of the friends of American Industry, held in New York," a faint outline of this important source of wealth to the country. Wishing in compliance with the requisitions of that body to perfect them as nearly as possible, I would particularly request any statistical in-

formation that can be given either upon this topic, or the following, as connected with our progressive Manufacture or Agricultural resources.

PAPER—Quantity manufactured, and value thereof?  
LEATHER, do do

WOOL—Quantity used, and yds. of cloth manufac'd?  
do No. of Hats, do

Aggregate value of each?

No. of sheep in the county?

I would respectfully urge an early attention to this subject, as it may be a necessary document in the debates likely to ensue in Congress respecting the Tariff question.

Any communication can be addressed through the post, or other quick medium of intelligence, to

DANIEL M. KEIM.

### STATEMENT OF THE

### FURNACES, FORGES, LABORERS EMPLOYED, &c.

#### IN BERKS COUNTY.

FURNACES.	1828, 1829, 1830.	Workmen in direct employment during 3 years.	No. of persons dependent during 3 years.	No. of Horses employed during 3 years.	Cords of Wood consumed during 3 years.	Tons of pig metal made during 3 years.	Tons Castings made during 3 years.	Wheat, Rye and Corn used during 3 years.	Beef and Pork used during 3 years.	No. of tons of Bar Iron.	No. of tons of Blooms.
NAMES.	OWNED BY										
Reading Furnace.	George Ege, Esq.	228	1,056	198	23,822	3,568	95	33,000	150,000	00	00
Hopwell do	Buckley & Brooke,	168	1,600	84	15,000	1,000	700	21,000	78,500	00	00
Joana do	Wm. Darling,	168	1,358	80	15,000	1,200	500	21,000	78,500	00	00
Mount Penn do	Seyfert & Schwartz,	220	1,050	120	15,000	1,700	500	16,890	92,000	00	00
Oley do	J. U. Schneider, Esq.	150	765	75	10,500	1,050	360	14,226	46,500	00	00
Sally Ann do	J. V. R. Hunter,	150	750	51	10,800	1,300	232	11,650	36,000	00	00
Mary Ann do	Reuben Trexler,	150	765	81	12,000	1,350	336	12,500	47,000	00	00
Windsor do	Jones, Kern, & Co.	195	1,075	48	11,200	650	750	8,600	49,000	00	00
Moselm do	N. V. R. Hunter,	18	90	15	4,500	643	00	2,000	2,000	00	00
Union do	Geo. Reagan, Esq.	18	90	15	6,000	700	00	2,500	15,000	00	00
Kernsville do	Jones Kern, & Co.	12	60	12	4,500	250	100	3,000	3,000	00	00
<b>FORGES.</b>											
Charming Forge,	George Ege, Esq.	99	475	70	9,006	00	00	9,000	98,550	800	00
Gibraltar Forges,	Seyfert & Schwartz,	168	740	60	9,000	00	00	12,000	175,000	00	1900
Dowell do	Jonathan Seidel,	85	425	60	5,000	00	00	7,000	65,000	00	1000
Sixpenny do	George Zacharias,	62	310	36	3,000	00	00	5,500	56,000	00	600
Birdsborough,	Heirs of M. Brooke,	94	470	52	7,500	00	00	10,500	81,000	750	00
Speedwell,	Daniel Yoem,	99	99	54	3,450	00	00	11,000	86,000	205	300
North Kill,	B. & J. Seyfert,	56	160	22	3,000	00	00	5,000	33,000	300	00
Green Tree,	Keen & Burkart,	19	82	12	1,600	00	00	2,500	17,000	150	00
Moselm, (2 Forges)	N. & J. Hunter,	110	550	60	7,500	00	00	13,000	102,000	300	750
Rockland,	J. U. Schneider,	53	265	31	4,500	00	00	6,000	5,000	450	00
Union,	George Reagan,	61	305	37	5,000	00	00	5,600	25,000	00	600
Spring,	J. S. Barollette,	41	205	40	3,750	00	00	6,000	36,000	375	00
Oley,	J. S. Sprang,	35	165	61	3,000	00	00	5,000	32,000	300	00
New District,	W. Schall,	30	140	48	3,000	00	00	4,000	26,000	240	00
District, (2 Forges)	Reuben Trexler,	62	320	64	5,300	00	00	7,000	53,000	480	00
Mount Pleasant,	(3 Forges,)	93	453	47	9,600	00	00	10,000	78,000	720	00
Dale,	D. Schall,	32	146	19	3,100	00	00	3,500	25,000	240	00
Rockland,	D. Oyster,	18	81	17	2,500	00	00	2,400	16,500	150	00
Pine,	J. Rutter,	90	460	61	8,500	00	00	10,000	79,000	700	00
		2,770	14,516	1,630	223,622	14,411	3587	281,366	1,731,550	6160	5150



From the American Sentinel.

### STATE MILITARY CONVENTION.

Pursuant to public notice, the Field, Staff, and Commissioned officers of the First Division, held a meeting at the Military Hall, on Friday evening, 4th inst. Col. Joseph S. Riley was called to the chair, and Col. Wm. P. Smith and Col. Henry Simpson, appointed secretaries.

The call of the meeting having been read, Colonel James Page offered the following preamble and resolutions, which were unanimously adopted.

Whereas, the acts of Assembly, now in force for the regulation of the *Militia* and *Volunteers* of this Commonwealth, are altogether ineffectual as a means of sustaining the military arm of this state, and their execution has become not only matter of ridicule in the eyes, but proves greatly offensive to the moral sense of the community, and is fraught with consequences of a highly injurious and degrading character.

And whereas, the existence of a military force is not only enjoined by the Constitution, but is as much required as any other branch of the national power, and it is the policy of every Government to prepare for war in time of peace, so as to put down domestic insurrection, and resent foreign insult and aggression, taking care not to make the performance of military duty too onerous to the citizen soldier; and it is the opinion of this meeting, that a proper organization of the Militia, and suitable encouragement of the Volunteers, is imperatively required, and would meet with the approbation of all classes of our fellow citizens.

And whereas, without a concentration of opinion and action, no hope can be entertained that the change so much desired can be effected.

Therefore be it resolved, That it is highly necessary that a Military Convention should be held in the course of the ensuing winter, for the purpose of taking into consideration the propriety of a full and complete revision of the Militia Laws of this Commonwealth, and adopting such measures as will have a tendency to rescue the military character of the state from the disgrace and decay into which it is rapidly falling, and placing the system upon a safe and respectable footing.

Resolved, That this meeting do earnestly and respectfully recommend to the several military divisions in the state, the election of delegates in proportion to their number of representatives, to attend said convention, and that the same be held at Harrisburg, on the first Monday of January, 1832.

On motion of Col. Robert M. Lee,

Resolved, That the commanding officers of each regiment of the first division be requested to notify the officers of their regiments of the time to which this meeting may adjourn, and to request their special attendance.

On motion of Col. Page,

Resolved, That when this meeting adjourns it will adjourn to meet on Friday, the 11th inst. at this place, at 7 o'clock, for the purpose of electing nine delegates to represent the First Brigade, and ten delegates to represent the Second Brigade, in said Convention.

Resolved, That the proceedings of this meeting be published in all the newspapers of the city and county of Philadelphia.

JOSEPH S. RILEY, Chairman.

WM. P. SMITH, } Secretaries.  
HENRY SIMPSON, }

At an adjourned meeting of the Field, Staff and Commissioned Officers of the First Division, P. M. held at the Military Hall, on Friday evening the 11th inst. Col. Joseph S. Riley, in the chair, Col's. Wm. P. Smith, and Henry Simpson, secretaries.

The proceedings of the last meeting were read and adopted.

On motion of Col. James Page, it was

Resolved, That a committee of three be appointed

for each Brigade, to nominate their respective delegates to the Military Convention, to be held at Harrisburg, on the first Monday of January next.

Whereupon the committees were appointed, retired and in a short time reported the following names:

For the First Brigade—Cols. Page, Riley, Cooper, Murray, Simpson, and Lee, and Majors Fritz, Baker, and W. C. Browne.

For the Second Brigade—Cols. John Thompson, Wolf, Rounfort, Knapp, and Lieut. Col. Paynter, Capts. Worrell, Nixon, A. T. Smith, Snyder, and Lieut. Joseph P. Mott.

Which nomination was approved of by the meeting.

Resolved, That the delegates have power to fill any vacancy that may occur in their body.

Resolved, That the proceedings of this meeting be published in all the newspapers in the commonwealth, friendly to an alteration and improvement of the present Military System.

Adjourned. JOS. S. RILEY, Chairman.  
WM. P. SMITH, } Secretaries.  
HENRY SIMPSON, }

### PROCEEDINGS OF THE LEGISLATURE.

The Legislature has been principally occupied thus far, with the presentation of petitions—and the election of Officers; and Senator of the United States, in the room of J. D. Barnard, resigned.

#### IN SENATE.

WEDNESDAY, DEC. 7.

The speaker announced the following standing committees.

*Accounts*—Messrs. Miller, Blythe, Mechling, Jackson, of Huntingdon, and Kern.

*Claims*—Messrs. Sullivan, Krepps, Smyser, Mathews, and Drumbeller.

*Judiciary System*—Messrs. Kerlin, Packer, Miller, Livingston, and Burden.

*Militia System*—Messrs. Ringland, Piper, Robinson, Mathews and Cunningham.

*Banks*—Messrs. Boyd, Jackson of Huntingdon, Bertolet, Houston, and Taylor.

*Education*—Messrs. Hassinger, Jackson of Chester, Livingston, Fullerton, and Morris.

*Roads, Bridges, and Inland Navigation*—Messrs. Cunningham, Petriken, Hays, Drumbeller and Hassinger.

*Agriculture and Domestic Manufactures*—Messrs. Drumbeller, Jackson of Chester, Bertolet, Wilber, and Robinson.

*Election Districts*—Messrs. Kreps, Klingensmith, Piper, Blythe, and Fullerton.

*Vice and Immorality*—Messrs. Fullerton, Boyd, Drumbeller, Robinson, and Mechling.

*Compre Bills and present them to the Governor for his approbation*—Messrs. Kreps, Piper, Bertolet, Miller, and Kern.

*Corporations*—Messrs. Packer, Hays, Miller, Hassinger, and Klingensmith.

*Estates and Escheats*—Messrs. Morris, Miller, Petriken, Ringland, and Boyd.

*Revenue Bills from the House of Representatives*—Messrs. Taylor, Burden, Jackson of Huntingdon, Klingensmith, and Boyd.

*State Library*—Messrs. Burden, Piper, and Wilber.

*On Public Buildings*—Messrs. Stoecker, Ringland, Bertolet, Miller, and Hassinger.

THURSDAY, DEC. 8.

#### OFFICERS ELECTED.

##### CLERK.

Walter S. Franklin, unanimously, who nominated as his assistant L. L. Minor.

## PRINTER ENGLISH JOURNAL.

Henry Welsh,

## GERMAN JOURNAL.

John Herbst, on the second ballot.

## BILLS.

Hugh Hamilton and Son,

## SERGEANT-AT ARMS.

Joseph Black, unanimously.

## DOORKEEPER.

Robert Dickey, unanimously.

## HOUSE OF REPRESENTATIVES.

Thursday, Dec. 8.

## STANDING COMMITTEES.

*Committee of Ways and Means*—Messrs. Patterson, (of Washington,) Riddle, Stewart, Ashmead, Anderson, Hopkins, and Wallace.

*Judiciary System*—Messrs. Shannon, McTullough, Fuller, Findlay, Smith, Greenough, and Ramsey.

*Claims*—Messrs. Ramsey, Stewart, McWilliams, Piatt, Campbell, Collar, and Shearer.

*Agriculture*—Messrs. Oliver, Kerr, Potteiger, Pickering, Kneppley, Lynn, and Hinckle.

*Education*—Messrs. Anderson, Stokes, Houston, Vansant, Kerk, Dunlop, and Buchanan.

*Domestic Manufactures*—Messrs. Dunlop, Wanner, Bayne, Balleau, Mackey, Donnel, and Griffith.

*Accounts*—Messrs. Huntzinger, Shearer, Ried, (Armstrong,) Irvin, McKeehan, Weyand, and Porter.

*Militia System*—Messrs. Davis, Power, McWilliams, Patterson, (Fayette,) Gross, Mathiot, and Buchanan.

*Election Districts*—Messrs. Boyer, Hoover, Felton, Whitehill, Weida, Baniels, and Cocklin.

*Banks*—Messrs. Peltz, Riddle, Brown, Bratton, Broadhead, Beecher, and Moorhead.

*Estates and Escheats*—Messrs. Waugh, Goodman, Fox, Coplan, Marshall, Burrowes, and Mitchell.

*Bridges, State and Turnpike Roads*—Messrs. Gebhart, Johnston, Strolin, Tomlinson, Martin, Stokes, and Spayd.

*Corporations*—Messrs. Read, (Susque.) Goodman, Rhule, Ashbridge, Rankin, James, and High.

*Inland Navigation and Internal Improvement*—Messrs. Hemphill, Read, (Susque.) Power, Crawford, Beaver, Gilbrath, Heston, Walker, Oliver, Valentine, Overfield, Kelchner, and Purviance.

*Local Appropriations*—Messrs. Hopkins, Andrews, Gebhart, Flickinger, Sharon, Kerr, and Ried, (Armstrong.)

*Vice and Immorality*—Messrs. Tomlinson, Penny-packer, Kauffman, Roush, Fox, Hoover, and McKeehan.

*To compare Bills and present them to the Governor*—Messrs. Miller, Piatt, and Lovett.

*Library*—Messrs. Kerk, Roush, and Hinckle.

*On the Public Buildings*—Messrs. Vansant, Ashbridge, Bratton, Picking, and Wanner.

## OFFICERS ELECTED.

## CLERK.

Francis R. Shunk had - - 80 votes.

F. R. Shunk was then declared duly elected, and nominated as his assistant, Thomas J. Gross, which was agreed to.

The house then proceeded to the election of other officers, whereupon it appeared, that for printer of the English Journal,

Henry Welsh had - - 77 votes.

For printers of the Bills,

Hugh Hamilton and Son, had - 78 votes.

For printer of the German Journal,

Jacob Babb had, - - 70 votes.

For Sergeant-at-arms,

James Smith had, - - 78 votes.

For Door-keeper,

Thomas Wallace had - - 78 votes.

## ELECTION OF U. S. SENATOR.

The following is the result of the various ballottings, which terminated in the selection of GEORGE M. DALLAS, Esq.

## FIRST BALLOT.

George M. Dallas,	34	Richard Rush,	33
H. A. Muhlenberg,	17	Samuel B. Davis,	2
Jesse R. Burden,	18	John Sergeant,	1
Joseph Hemphill,	27		

## SECOND BALLOT.

George M. Dallas,	35	Joseph Hemphill,	27
H. A. Muhlenberg,	17	Richard Rush,	33
Jesse R. Burden,	18	Samuel B. Davis,	2

## THIRD BALLOT.

George M. Dallas,	35	Joseph Hemphill,	26
H. A. Muhlenberg,	17	Richard Rush,	33
Jesse R. Burden,	19	Samuel B. Davis,	2

## FOURTH BALLOT.

George M. Dallas,	37	Joseph Hemphill,	26
H. A. Muhlenberg,	15	Richard Rush,	33
Jesse R. Burden,	19	Samuel B. Davis,	2

On motion, the Convention adjourned till three o'clock, at which time it met and proceeded to ballot as follows:

## FIFTH BALLOT.

George M. Dallas,	37	Joseph Hemphill,	25
H. A. Muhlenberg,	13	Richard Rush,	33
Jesse R. Burden,	21	Samuel B. Davis,	2

## SIXTH BALLOT.

George M. Dallas,	38	Joseph Hemphill,	24
H. A. Muhlenberg,	11	Richard Rush,	33
Jesse R. Burden,	21	Samuel B. Davis,	2

## SEVENTH BALLOT.

George M. Dallas,	44	Joseph Hemphill,	27
H. A. Muhlenberg,	13	Richard Rush,	32
Jesse R. Burden,	13	Samuel B. Davis,	2

## EIGHTH BALLOT.

George M. Dallas,	54	Joseph Hemphill,	31
H. A. Muhlenberg,	9	Richard Rush,	32
Jesse R. Burden,	4	Samuel B. Davis,	1

## NINTH BALLOT.

George M. Dallas,	62	Joseph Hemphill,	38
Samuel B. Davis,	1	Richard Rush,	31

## TENTH BALLOT.

George M. Dallas,	63	Joseph Hemphill,	38
Samuel B. Davis,	1	Richard Rush,	30

## ELEVENTH BALLOT.

George M. Dallas,	67	Joseph Hemphill,	34
Samuel B. Davis,	1	Richard Rush,	30

## CHIMNEYS.

One of the greatest annoyances to human comfort, in the cool season of the year, is a *smoky* chimney, in an occupied room of any description, either kitchen, parlor or sitting-room; and to construct a chimney which would carry smoke, has been found in practice, one of the most precarious objects of mechanism. So little has the theory of smoke and draft been understood, that if ever a chimney was constructed to draw well, it was evidently a matter of accident; for no mechanic seemed to have any rule for constructing chimneys, which would ensure a good one. We have been extremely gratified within a few days, by the inspection of a flue, and a set of fire-places, constructed upon a plan entirely new, in principle, invented by Mr. HENRY ANTIS, a respectable merchant of our borough. We had not the pleasure of seeing Mr. Antis' model; but we saw the practical effect of his discovery, by a chimney and fire-places in operation, in the house of Mr. Joseph Wallace, in Front street, the success of which is complete, and triumphantly sustains Mr. Antis' theo-

ry on the subject. His theory is, that cold atmospheric air tends to the centre of gravity, till it meets with some obstruction, which gives it another direction—that heated or magnified air, is exactly vertical in motion, following the surface of solid matter by the dense surrounding atmosphere—that hence the flue to carry it off, should be perfectly vertical, and in no place of smaller dimensions than at the bottom or first inlet.—That it matters not how many inlets there be to it, provided the area of a cross-section of the flue be equal to those of all the inlets combined. It may be *greater*, but must never be *smaller*. He, therefore, starts a single flue, from the cellar, regulating the size to cover the area of all the contemplated inlets, from bottom to top. He carries it up, all the way of the same size, in exact perpendicular direction—not need the wall be more than the width of one brick, in thickness. Wherever he wants a fire-place, he attaches jambs of the usual shape, leaving the common perpendicular wall of the flue, for a back, throwing an arch across, at the proper place, in the usual form, covering it tight to the back wall. Immediately opposite or below the covering of the arch, he leaves a horizontal aperture in the flue, the whole width of the fire-place, from jamb to jamb, in size according to calculation previously made, and according to the height of the arch, which for jambs from 24 to 30 inches high, must not be less than three inches perpendicular in the opening. There seems to be philosophy in this theory; and practice, so far as tried, proves that there is truth in it. And we have no doubt the plan will on a little farther trial, be universally adopted, by builders.

Beneath each grate, fitted in a fire-place, is an opening left, which descends obliquely into the flue. In this opening on a level with the hearth, is a fine grate fixed through which the ashes descend, from the grate above. And such is the effect, that while a strong current of air is produced, by the heat from the fire in the grate, through the horizontal aperture above, a moderate draft is also maintained in the oblique one below, which carries off all the dust, so that from a coal fire, not a particle of dust escapes into the room. He also affixes a valve to each inlet, hung in such an ingenious manner, that the mere pulling a small brass knob, closes it entirely; and thus in case the chimney should take fire, all the currents of air may be stopped in a moment, and the fire dies at once. Not a particle of soot can ever enter your room or your fire-place; for that, as well as the ashes, all descend to the bottom of the flue, in the cellar, where an opening with a sheet-iron door is constructed, from which these articles can be taken, and through which a sweep may enter and perform his duties, without disturbing the business, or amusements, or quiet of any part of the family. Where necessary, he also carries up side flues in the jambs, by which air can be introduced, to regulate the temperature of your room, or the force of your drafts.

The advantages of this improvement are.

1. Fewer materials are used, which cheapens the work.
2. Less room is engrossed by dead brick-work.
3. No annoyances from soot or ashes, in your rooms—not even when a sweep ascends to clean out your flue.
4. Power to regulate the temperature of your rooms, without opening doors or windows.
5. Perfect security against smoke, in every room in your house.—*Harrisburg Paper.*

The Beaver Argus of Friday last, says:—"Winter has set in upon us unusually early this season. Beaver Creek, on the 30th ult. was frozen over sufficiently hard for a man to cross on it, and we have tolerable good sleighing. Our oldest inhabitants say they have never experienced such severe weather thus early in the season, in this part of the country."

The Wheeling Times of December 7, says—"Since our last two steamboats have arrived from Pittsburg--

and one departed yesterday down the river. The river is full of ice."

The Norristown Herald of yesterday says:—"The Schuylkill is frozen over for miles in extent. On Saturday a person arrived here from Phoenixville, a distance of 10 miles, which he accomplished without any difficulty on the ice."

CLEARFIELD, December 1.

COLD WEATHER.—Winter is here with all its welcome and unwelcome train of attendants. The river is frozen over and can be crossed on the ice—the ground is covered with a mantle of snow, and affords, we suppose, excellent sleighing, for our ears have been greeted with the sound of the bells. At this season of the year, the like has not been witnessed by the oldest inhabitant.—*Banner.*

HUNTINGDON, December 7.

The weather for the last four or five days has been as severe as we generally experience in the dead of winter. On Saturday and Sunday we had a fall of snow to the depth of two or three inches, in this neighbourhood; but the high winds have drifted it very much.

The canal at this place, is completely closed up with ice; and the Juniata river, also, is very near being closed.—*Gaz.*

At no corresponding season within 30 years, has been experienced such cold weather as commenced ten days since; and still continues.—*Milton.*

MAUCH CHUNK, Dec. 1.

The thermometer at 6 o'clock this morning was at 12 Fahrenheit, a foretaste of what may be expected.

HARRISBURG, December 12.

The Susquehanna was frozen over at this place, on the night of December 7, earlier than at any period since 1796.

WILKES-BARRE, Dec. 7.

We have clear wintery weather and good sleighing.

The North Branch canal is closed with ice, and the prospect is, that it will not be navigable again this season.

ERIE, Dec. 2.

SNOW STORM.—On Sunday evening last, commenced a snow storm, which we are told by some of the early settlers of this place, has never been equalled within their recollection. The snow continued falling, except at very short intervals, until Wednesday morning, accompanied with high blasting wind, which did considerable damage to the shipping in the Lake and in the Bay. The extent of damage is not known, as several vessels which had cast anchor near the piers soon after the storm commenced, broke loose from their moorings during the night of Monday, and have not been heard of since. The snow is supposed to have fallen about three feet, and is very much drifted. On Tuesday and Wednesday, the mails had to be carried on horseback, it being impossible to get along with sleighs. The travelling is now good, and the bells are jingling merrily.

The storm extended as far as we have been able to hear from, to the east and west. At Buffalo, the harbor is closed, and several vessels laden with merchandise to come up the lake, are completely embargoed.

The large schooner America, of Cleveland, laden with goods, went ashore at Dunkirk, on Tuesday night and bilged.—*Observer.*

The severity of the weather has continued throughout the week—A fall of snow on Wednesday sufficient to produce a little sleighing—Thursday night and Friday cold very severe—Rivers both closed—Influenza prevalent throughout the city and country—Wood still high and scarce. [Philadelphia.]



# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. VIII.—NO. 26. PHILADELPHIA, DEC. 24, 1831. NO. 208.

## AUDITOR GENERAL'S REPORT OF THE FINANCES OF THE COMMONWEALTH, FOR THE YEAR 1831.

### REVENUE.

#### No. I.

#### LANDS, FEES ON LANDS, &c.

Amount of purchase money with interest thereon,	\$91,102 68
Fees on warrants and patents,	10,567 92
<b>OFFICE FEES.</b>	
Surveyor General's Office,	1,203 00
Secretary of the Land Office,	455 58
	103,329 18

#### No. II.

#### AUCTION COMMISSIONS.

Samuel W. Lippincott,	\$2,000 00
Richard F. Allen,	2,000 00
Samuel C. Ford,	2,000 00
John Jennings,	2,000 00
Mahlon Gillingham,	2,000 00
Moses Thomas,	1,000 00
Charles J. Wolbert,	300 00
John D. Goodwin,	300 00
Archibald Murphy,	200 00
Joseph Thomas,	200 00
George Riter,	100 00
	12,100 00

#### No. III.

#### AUCTION DUTIES.

Richard F. Allen,	\$30,016 67
Mahlon Gillingham,	22,063 23
Samuel C. Ford,	21,974 04
John Jennings,	19,610 25
Samuel W. Lippincott,	13,395 15
Peter Graham,	8,419 51
Moses Thomas,	3,438 29
Henry C. Corbit,	2,991 01
George W. Richards,	1,939 52
Henry Erwin,	847 53
C. J. Wolbert,	496 47
David Lynch,	402 67
George Riter,	281 04
P. McKenna,	261 16
T. B. Freeman,	241 30
John D. Goodwin,	81 77
Archibald Murphy,	43 22
	126,504 85

#### No. IV.

#### DIVIDENDS ON BANK STOCK.

Bank of Pennsylvania,	\$90,000 00
Philadelphia Bank,	13,082 50
Farmers' and Mechanics' Bank,	3,416 00
	106,498 50

#### No. V.

#### DIVIDENDS ON BRIDGE, CANAL AND TURN-PIKE STOCK.

Harrisburg bridge,	\$6,750 00
Allegheny,	3,200 00
Monongahela,	2,400 00
Columbia,	2,250 00
Northumberland,	1,500 00
Lewisburg,	800 00
Conemaugh,	405 00
Wilkes-barre,	375 00
Danville,	350 00
Nescopeck,	320 00
Schuylkill bridge at Pottstown,	240 00
Schuylkill navigation company,	2,750 00
Chambersburgh and Bedford turn-pike road company,	5,650 62
Centre,	2,400 00
Middletown and Harrisburg,	1,260 00
York and Gettysburg,	1,200 00
Bedford and Stoystown,	1,000 00
Lancaster, Elizabethtown and Middletown,	550 00
Pittsburg and Steubenville,	360 00
Easton and Wilkes-barre,	312 50
Erie and Waterford,	200 00
Susquehanna and York borough,	125 00
	34,398 12

#### No. VI.

#### TAX ON BANK DIVIDENDS.

Bank of North America,	\$4,000 00
Commercial bank of Pennsylvania,	3,840 00
Bank of the Northern Liberties,	3,200 00
Bank of Chester county,	2,520 00
Mechanics' bank of the city and county of Philadelphia,	2,348 55
Bank of Pittsburg,	2,211 00
Southwark bank,	2,000 00
Easton bank,	1,606 56
Farmers' bank of Lancaster,	1,483 40
Chambersburg bank,	1,186 69
Harrisburgh bank,	1,014 56
Kensington bank,	999 92
Carlisle bank,	967 61
Bank of Montgomery county,	640 03
Monongahela bank of Brownsville,	571 88
Northampton bank,	525 17
Bank of Gettysburg,	501 27
Lancaster bank,	421 38
Huntingdon bank,	358 65
Farmers' bank of Bucks county,	103 06
Wyoming bank,	73 25
	30,572 98

#### No. VII.

#### TAX ON OFFICES.

John M. Snowden, register and recorder of Allegheny county,	\$55 24
Geo. B. Porter, former prothonotary of Lancaster county,	1,577 22
Christian Bachman, prothonotary of Lancaster county,	191 08

	DOLLS.	CTS.
William Whiteside, register of Lancaster county,	190	47
F. A. Muhlenburg, former do	950	69
Jacob Fry, jr. prothonotary, Montgomery county,	103	79
Wm. Powell, register & recorder do	150	00
John Lisle, prothonotary District Court, Philadelphia co.	1,943	34
Richard Palmer, prothonotary C. Pleas, Philadelphia co.	1,458	58
Joel B. Sutherland, deputy att'y. general, Philadelphia co.	109	50
Peter Frailey, prothonotary, register and recorder of Schuylkill county,	734	62
	7,464	53

## NO. VIII.

## TAX ON WRITS, &amp;c. Per act of 6th of April, 1830.

John B. Clark, register and recorder, Adams county,	\$71	05
William M'Candless, prothonotary, Allegheny,	505	13
John M. Snowden, register and recorder do.	367	15
Simon Torney, prothonotary, Armstrong,	96	00
Frederick Rohrer, register and recorder, do.	86	25
James Logan, Prothonotary, Beaver,	88	27
David Johnston, register and recorder, do.	112	52
Job Mann, prothonotary, register and recorder, Bedford,	251	23
John Addams, prothonotary, Berks,	270	87
George Smith, register, do.	53	83
John Miller, recorder, do.	162	50
Darius Bullock, late prothonotary, Bradford,	35	00
William Purdy, prot. Bucks,	223	34
Andrew Heller, register,	57	72
Michael Dech, recorder, do.	384	61
William Stewart, prot. Butler,	22	07
Philip Noon, prothonotary, register and recorder, Cambria,	100	00
James Gilliland, prot. Centre,	53	35
William L. Smith, late do.	44	87
William Pettit, register and rec. do	169	75
John W. Cunningham, prothonotary, Chester,	299	73
Robert Ralston, register, do.	62	56
Nimrod Strickland, recorder, do.	387	03
Jacob Eyerly, prot. Columbia,	120	00
John Cooper, reg. and recorder, do.	103	31
Edward A. Reynolds, prot. reg. and recorder, Crawford,	140	00
John Harper, prot. Cumberland,	193	08
John Irwin, reg. and recorder, do.	182	36
John Roberts, prot. Dauphin,	229	89
Samuel Pool, reg. and recorder, do.	207	58
Henry Myers, prot. reg. and rec. Delaware,	124	78
Edwin J. Kelso, prot. reg. and rec. Erie,	214	85
Henry W. Beeson, prot. Fayette,	144	06
Alexander M'Clean, register and recorder, do.	138	23
John Flanagan, prot. Franklin,	361	81
Paul I. Hetich, reg. and rec. do.	174	71
William T. Hays, prot. Greene,	120	00
Jesse Lazear, reg. and rec. do.	100	00
David R. Porter, prot. reg. and rec. Huntingdon,	267	24
James Corbet, prot. reg. and rec. Jefferson,	35	00
William Banks, prot. reg. and rec. Indiana,	280	00

	DOLLS.	CTS.
James S. Law, reg. and rec. Juniata,	62	00
Christian Bachman, prot. Lancaster,	393	34
William Whiteside, register, do.	76	15
Jacob Peelor, recorder, do.	233	77
Adam Ritscher, prot. Lebanon,	103	40
John Uhler, register, do.	33	46
John Shindle, recorder, do.	84	39
John Wilson, reg. and rec. Lehigh,	150	35
Henry Pettebone, prot. Luzerne,	199	82
Isaac Bowman, reg. and rec. do.	224	07
Joseph Wood, prot. Lycoming,	129	50
John Vanderbelt, reg. and rec. do.	154	27
William S. Rankin, prot. Mercer,	78	81
Samuel Holstein, reg. and rec. do.	148	92
Richard Chadwick, prot. reg. and rec. M'Kean,	85	00
Abraham S. Wilson, prot. Mifflin,	189	15
Joshua Beale, reg. and rec. do.	130	00
Jacob Fry, jr. prot. Montgomery,	188	43
William Powell, reg. and rec. do.	254	14
William L. Sebring, prothonotary, Northampton,	184	55
George Hess, jr. register, do.	40	74
Edward Y. Bright, prot. Northumberland,	140	00
Solomon Shaffer, reg. and rec. do.	131	25
George Stoop, prot. Perry,	97	00
John M'Kechan, reg. and rec. do.	101	85
John Lisle, prot. District Court, Philadelphia,	1,090	77
Richard Palmer, do. Common Pleas, do.	396	01
John Humes, registers, do.	255	11
Alexander M'Caraher, rec. do.	2,697	57
Charles B. Seaman, prot. Pike,	50	00
Peter Frailey, prot. reg. and rec. Schuylkill,	856	15
Chauncey Forward, prot. reg. and rec. Somerset,	183	50
Asa Dimock, prot. and register, Susquehanna,	147	50
William Jessup, recorder,	115	00
Jonah Brewster, prot. reg. and rec. Tioga,	170	00
Joseph Stillwell, prot. Union,	97	17
Samuel Roush, reg. and rec. do.	108	15
Arnold Plummer, prot. reg. and rec. Venango,	63	25
Robert Miles, prot. reg. and rec. Warren,	165	38
Thomas Officer, prot. Washington,	186	97
John Grayson, register, do.	40	74
William Hoge, recorder, do.	188	18
Solomon Moore, prot. Wayne,	87	61
James Manning, reg. and rec. do.	86	81
Randall M'Laughlin, prothonotary, Westmoreland,	266	73
Alexander Johnston, reg. & rec. do.	206	12
Jesse Spangler, register, York,	55	78
Charles Nes, recorder, York,	83	42
William Duane, prot. Supreme court, Eastern District,	165	86
Samuel A. Houston, prot. Supreme court, Lancaster district,	108	64
Alexander Jordan, prot. Supreme court, Middle district,	190	00
Leonard S. Johns, prot. Supreme court, Western district,	261	41
	18,979	89

## IX.

## FEES OF THE SECRETARY OF STATE'S OFFICE.

Amount of fees received and accounted for by Samuel M'Kean, Secretary of the Commonwealth,	448	60
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No. X.		DOLLS. CTS.			DOLLS. CTS.
TAVERN, LICENSES.			John G. Lowry,	Centre	69 93
Wm. S. Cobean, treasurer of Adams County,	Allegheny	\$683 55	James M. Petriklin, former	do.	60 00
William Woods,	Armstrong	3,423 54	Benjamin Parker,	Chester	1,444 51
David Johnston,	Beaver	234 08	Alexander Irvine,	Clearfield	70 02
Benjamin Adams,	do.	600 00	Hugh M'Williams,	Columbia	300 30
Thomas Henry, late	do.	103 62	Joseph Douglass,	Crawford	210 70
David Hays, former	do.	61 50	Hendricks Weise,	Cumberland	682 58
Thomas R. Gettys,	Bedford	726 67	John Kelker,	Dauphin	1,600 32
James Williams, former	do.	200 00	William Eyre,	Delaware	422 53
Andrew Irvine,	Bradford	42 28	Thomas Moorhead, jr.	Erie	291 29
John Ruchman,	Bucks	1,062 23	Alfred Meason,	Fayette	23 10
Francis M'Bride,	Butler	106 59	Joseph Pritts,	Franklin	1,606 54
James Thompson, late	do.	150 00	Daniel Spangler, late	do.	144 55
Cornelius M'Donald,	Cambria	217 36	Hugh Greenfield, former	do.	460 00
John G. Lowry,	Centre	43 08	William M'Clelland,	Greene	239 55
Benjamin Parker,	Chester	1,209 61	Isaac Dorland,	Huntingdon	1,324 58
Gerhard Philip Gulich,	Clearfield]	100 00	Bleaney Adair,	Indiana	586 29
Alexander Irvine, late	do.	132 00	Andrew Barnett,	Jefferson	31 69
Hugh M'Williams,	Columbia	571 44	Henry Brenner's ad'mrs.	Lancaster	1,044 22
Joseph Douglass,	Crawford	158 84	Thomas Harper,	Lebanon	305 94
Thomas Atkinson, former	do.	90 05	Solomon Gangewere,	Lehigh	425 73
Hendricks Weise,	Cumberland	864 65	Sharp D. Lewis,	Luzerne	581 63
John Kelker,	Dauphin	990 03	Zurah Smith's executor	do.	274 05
William Eyre,	Delaware	400 14	Thomas W. Lloyd,	Lycoming	250 49
Thomas Moorhead, jr.	Erie	280 08	David T. Porter,	Mercer	733 63
Alfred Meason,	Fayette	16 90	Jonathan Smith, late	do.	313 76
Joseph Pritts,	Franklin	2,024 48	Aaron Hackney's executors	do.	141 52
Hugh Greenfield, former	do.	224 00	Jonathan Colegrove,	M'Kean	17 26
William M'Clelland,	Greene	158 84	William Mitchell,	Mifflin	434 93
Isaac Dorland,	Huntingdon	1,097 19	Henry Schneider,	Montgomery	1,100 00
Bleaney Adair,	Indiana	328 13	George Piper, late	do.	6 77
Andrew Barnett,	Jefferson	33 44	Peter Pomp,	Northampton	1,039 89
Henry Brenner's ad'mrs,	Lancaster	3,202 16	Peter Lazarus,	Northumberland	360 86
Thomas Harper,	Lebanon	571 44	John Wilson,	Perry	286 38
Solomon Gangewere,	Lehigh	735 29	Philip Peltz,	Philadelphia	3,578 59
Sharp D. Lewis,	Luzerne	597 31	William Moulder, late	do.	210 70
Thomas W. Lloyd,	Lycoming	502 45	Oliver S. Dimmick,	Pike	119 58
Jonathan Smith,	Mercer	158 84	Burrel Lyman,	Potter	19 00
William Mitchell,	Mifflin	649 05	Joseph Hammer,	Schuylkill	772 32
Henry Schneider,	Montgomery	1,362 50	Jacob Neff,	Somerset	190 10
Peter Pomp,	Northampton	1,175 16	Davis Dimock, jr.	Susquehanna	301 18
Peter Lazarus,	Northumberland	623 18	Elihu Hill,	Tioga	46 75
John Wilson,	Perry	511 07	Samuel Aurand,	Union	446 28
Philip Peltz,	Philadelphia	9,708 71	Myron Parks,	Venango	73 04
Oliver S. Dimmick,	Pike	284 24	Walter W. Hodges,	Warren	159 52
Burrel Lyman,	Potter	9 50	William Pier, late	do.	164 68
Joseph Hammer,	Schuylkill	261 36	Samuel M'Farland,	Washington	763 33
Jacob Neff,	Somerset	451 21	Nathaniel B. Eldred,	Wayne	180 89
Davis Dimock, jr.	Susquehanna	232 01	Samuel Kuhns,	Westmoreland	630 33
Elihu Hill,	Union	108 68	Cornelius Stevenson,	City of Philadelphia	20,031 27
Samuel Aurand,	Venango	692 17	John Bacon, late	do.	600 00
Myron Parks,	Warren	108 64	George Weitzel,	City of Lancaster	562 66
Walter W. Hodges,	do.	142 50	William Graham, jr.	City of Pittsburg	1,928 75
William Pier, late	do.	94 00			
Samuel M'Farland,	Washington	683 55			
Richard Lancaster,	Wayne	39 80			
Nathaniel B. Eldred, late	do.	146 64			
Samuel Kuhns,	Westmoreland	761 16			
		40,146 94			

  

No. XII.		
STATE MAPS.		
William S. Cobean, Tr. of	Adams co.	\$57 00
Thomas Henry	Beaver	3 75
Thomas R. Gettys,	Bedford	9 50

No. XI.		
DUTIES ON DEALERS IN FOREIGN MERCHANDIZE.		
Wm.S.Cobean,treasurer of Adams County,		\$499 33
David Johnston,	Armstrong	244 71
William Woods,	Allegheny	682 45
Benjamin Adams,	Beaver	350 06
Thomas Henry, late	do.	306 23
Thomas H. Gettys,	Bedford	237 51
Andrew Irvine,	Bradford	30 81
Alpheus Ingham, late	do.	100 00
John Ruchman,	Bucks	822 50
Andrew Apple, late	do.	35 00
Francis M'Bride,	Butler	222 83
James Thompson, late	do.	100 00
Cornelius M'Donald,	Cambria	99 50

No. XII.		
STATE MAPS.		
William S. Cobean, Tr. of	Adams co.	\$57 00
Thomas Henry	Beaver	3 75
Thomas R. Gettys,	Bedford	9 50
Hugh M <sup>W</sup> Williams,	Columbia	33 25
John Kelker,	Dauphin	19 51
Thomas Moorhead, jr.	Erie	25 00
Daniel Spangler, late	Franklin	23 75
Bleaney Adair,	Indiana	4 75
Thomas W. Lloyd,	Lycoming	36 75
Peter Pomp,	Northampton	18 00
Peter Lazarus	Northumberland	9 50
Philip Peltz,	Philadelphia	80 75
Elihu Hill,	Tioga	4 75
Samuel Aurand,	Union	9 50
Myron Parks,	Venango	28 50
Samuel M <sup>F</sup> Farland	Washington	33 25
Samuel Kuhns,	Westmoreland,	23 75
Alexander Mahon, state treasurer		25 00
		<hr/> 446 26



No. XIII. COLLATERAL INHERITANCES.		
David Bright, treasurer of	Berks co.	\$704 32
Alexander Vanhorn,	Bucks	475 00
John Ruchman, late	do.	298 39
Andrew Apple, former	do.	5 54
Isaac Thomas,	Chester	298 90
Hugh M'Williams,	Columbia	6 23
Hendricks Weise,	Cumberland	184 93
John Kelker,	Dauphin	134 38
William Eyre,	Delaware	544 85
Joseph Pritts,	Franklin	147 46
Isaac Dorland,	Huntingdon	70 42
Bleaney Adair,	Indiana	14 74
John H. Duchman,	Lancaster	257 57
Henry Brenner's ad'mrs.	do.	00 09
Thomas Harper,	Lebanon	307 04
Solomon Gangemere,	Lehigh	274 62
William Mitchell,	Mifflin	100 87
Henry Schneider,	Montgomery	317 29
George Piper, late	Montgomery	16 13
Peter Lapp,	Northampton	329 80
Peter Lazarus,	Northumberland	78 46
John Wilson,	Perry	23 16
Philip Peltz,	Philadelphia	14,334 84
Samuel Aurand,	Union	10 92
Samuel M'Farland,	Washington	108 85
Jacob Bayler,	York	18 01
		<hr/> 19,062 81

No. XIV. PAMPHLET LAWS.		
William S. Cobean, Tr. of Adams co.		\$1 46
Isaac Thomas,	Chester	10 00
Benjamin Parker, late	do.	6 65
Hendricks Weise,	Cumberland	4 75
John Kelker,	Dauphin	6 16
Daniel Spangler, late	Franklin	1 43
Henry Brenner's ad'mrs.	Lancaster	6 18
George Piper,	Montgomery	6 65
Peter Pomp,	Northampton	1 43
Philip Peltz,	Philadelphia	30 98
Joseph Hammer,	Schuylkill	1 43
Samuel Aurand,	Union	1 43
Samuel M'Farland,	Washington	3 33
		<hr/> 81 88

No. XV. MILITIA AND EXEMPT FINES.		
N. W. Sample, jr. late inspector second brigade, fourth division, under act of 1822,		60 00
Daniel Sharp, inspector first brigade, first division, under act of 1828,		500 00
John Davis, inspector first brigade, second division, under do.		125 00
Henry Daub, inspector second brigade, second division, under do.		305 00
John Ruchman, late tr. of Bucks co.		7 60
John Kelker	Dauphin	12 01
William Eyre,	Delaware	3 80
Philip Peltz,	Philadelphia	87 40
John Kurtz, former	Somerset	280 60
		<hr/> 1,381 41

No. XVI. TIN AND CLOCK PEDLERS' LICENSES.		
William Woods, treasurer of Allegheny co.		\$46 60
Thomas R. Gettys,	Bedford	57 00
Andrew Irvine	Bradford	57 00
John G. Lowry,	Centre	57 00
Benjamin Parker,	Chester	85 50
Hugh M'Williams,	Columbia	171 00
Hendricks Weise,	Cumberland	114 00
John Kelker,	Dauphin	85 50

Thomas Moorhead, jr.	Erie	43 63
Joseph Pritts,	Franklin	117 00
Henry Brenner's ad'mrs.	Lancaster	285 00
Sharp D. Lewis,	Leuzerne	137 60
William Mitchell,	Mifflin	28 50
Peter Pomp,	Northampton	57 00
John Wilson,	Perry	28 50
Philip Peltz,	Philadelphia	171 00
Joseph Hammer	Schuylkill	57 00
Jacob Neff,	Somerset	85 50
Davis Dimock, jr.	Susquehanna	57 00
Samuel M'Farland,	Washington	57 00
Nathaniel B. Eldred,	Wayne	114 00
Samuel Kuhns,	Westmoreland	57 00
Richard Palmer, prothonotary Common Pleas, Philadelphia,		60 00
		<hr/> 2,029 33

No. XVII. HAWKERS' AND PEDLERS' LICENSES.		
William S. Cobean, tr. of Adams co.		\$15 20
John G. Lowry,	Centre	15 20
Hendricks Weise,	Cumberland	15 20
John Kelker,	Dauphin	131 10
Joseph Pritts,	Franklin	65 20
Bleaney Adair,	Indiana	15 20
Henry Brenner's ad'mrs.	Lancaster	229 90
Thomas Harper,	Lebanon	30 40
Solomon Gangewere,	Lehigh	69 35
Sharp D. Lewis,	Lycoming	38 95
Thomas W. Lloyd,	Northampton	15 20
Peter Pomp,	Northumberland	15 20
Peter Lazarus,	Philadelphia	815 90
Philip Peltz,	Pike	45 60
Oliver S. Dimmick,	Schuylkill	15 20
Joseph Hammer,	Union	15 20
Samuel Aurand,	Wayne	7 60
Nathaniel B. Eldred,	Westmoreland	22 80
Samuel Kuhns,		<hr/> 1,593 60

No. XVIII. ESCHEATS.		
George W. Harris, deputy escheator in the case of the estate of William Wanless, Dauphin county,		20 00

No. XIX. CANAL TOLLS.		
John Nevin, collector at Middletown, E. Division		713 66
Thomas C. Reed. Harrisburg, do.		12,993 77
Robert Scott, jr. Duocan's Island, Susquehanna Division,		3,977 81
David Brinneman, Leechburg, Western Division,		2,579 44
John Leech, late do. do.		992 50
Thomas Johnston, Blairsville, do.		6,780 00
William B. Foster, Alleghenytown, do.		2,215 00
John Fowler, Pittsburg Aqueduct, do.		431 64
Jacob Fritz, Juniata Aqueduct, Juniata Division,		40 60
Levi Reynolds, Lewistown, do.		4,402 38
Elijah N. Doan, Northumberland, Susquehanna Division,		2,214 97
William F. Swift, Bristol, Delaware Division,		899 43
		<hr/> 38,241 20

No. XX. LOANS.		
Bank of Pennsylvania, temporary loan per act of 12th January, 1831,		\$250,000 00
Office of Discount and Deposit at Harris-		

burg, temporary loan in anticipation of the permanent loan per act of 21st March, 1831,	230,000 00
Bank of Pennsylvania, loan per act of 21st March, 1831,	1,444,948 54
Bank of Pennsylvania, loan per act of 30th March, 1831,	275,000 00
	<u>2,199,948 54</u>

## No. XXJ.

## PREMIUMS ON LOANS.

Bank of Pennsylvania, six per cent. on \$1,444,948 54 of the loan per act of 21st March, 1831,	\$88,696 91
Bank of Pennsylvania, six per cent. on \$275,000 of the loan per act of 30th March, 1831,	16,500 00
	<u>103,196 91</u>

## No. XXII.

## COMMISSIONERS OF THE INTERNAL IMPROVEMENT FUND.

Amount paid by them to the State Treasurer, being the sum appropriated to the relief of sundry turnpike road companies, by the 4th section of the act of 21st March, 1831,

\$125,000 00

## No. XXIII.

## OLD DEBTS AND MISCELLANEOUS.

Samuel Allison, executor of Matthew Allison, on account of a bond to the Commonwealth for land late of John Nicholson, deceased,	161 94
Stephen Girard, on account of Solomon Markley's bond for do.	98 10
Stephen Girard, for lands late of John Nicholson, deceased, situate in Schuylkill county, and sold to him by the Secretary of the land-office, and the Surveyor General, agreeably to the provisions of the act of 28th March, 1814.	10,000 00
Joseph Hackney, commissioner for the sale of reserved tracts in the town of Warren,	90 00
John Patton, agent for the Susquehanna lottery, per Robert Allison, attorney for the Commonwealth.	572 00
Executors of Martin Reilly, former sheriff of Bedford county, on account of court fines,	152 62
Joseph Cummings, fines imposed on sundry persons for riding on the towing path of the Pennsylvania Canal,	8 00
John Smart, do.	5 00
	<u>11,087 66</u>

## EXPENDITURES.

Summary Statement of the payments at the Treasury, commencing on the first day of December, 1830, and ending the thirty-first day of October, 1831.

	No.	DOLLS. CTS.
Internal Improvements,	1	2,335,373 72
Expenses of government,	2	195,306 91
Militia expenses,	3	20,515 72
Members of courts martial,	4	2,343 28
Pensions and gratuities,	5	22,226 84
Education,	6	11,185 13
Interest on loans,	7	91,525 00
Internal Improvement fund,	8	362,682 40
State maps,	9	329 75
Penitentiary at Philadelphia,	10	3,746 53
Penitentiary near Pittsburg,	11	2,624 25
Conveying convicts,	12	1,177 96

	DOLLS. CTS.
Conveying fugitives,	13 596 06
Pennsylvania claimants,	14 56 55
Defence of the state,	15 107 50
Miscellaneous,	16 9,128 94
	<u>3,058,926 54</u>
Balance in the Treasury on the 1st of November, 1831,	124,482 82
	<u>\$3,183,409 36</u>

## No. I.

## INTERNAL IMPROVEMENTS.

## TURNPIKES.

Washington and Pittsburg,	733 33
Washington and Williamsport,	3,333 33
Somerset and Bedford,	3 19
Milesburg and Smethsport,	2,446 35
Harrisburg, Carlisle and Chambersburg, per act of 21st of March, 1831,	\$21,702 53
Chambersburg, and Bedford,	44,026 72
Bedford and Stoystown,	3,692 84
Stoystown & Greensburg,	15,717 35
Somerset and Mount Pleasant,	14,536 50
Somerset and Bedford,	13,103 65
Washington & Pittsburg,	10,764 75
Washington and Williamsport,	1,455 66
	<u>123,000 00</u>
	<u>131,516 20</u>

## CANALS.

Commissioners of the Internal Improvement Fund, amount of temporary loan per act of 12th January, 1831,	250,000 00
Commissioners of the Internal Improvement Fund, amount of loan in anticipation of the permanent loan per act of 21st March, 1831,	230,000 00
Commissioners of the Internal Improvement Fund, amount received of loan per act of 21st March, 1831,	1,444,948 54
Commissioners of the Internal Improvement Fund, amount received of loan per act of 30th March, 1831,	275,000 00
	<u>2,199,948 54</u>

## PUBLIC GROUND.

Commissioners for improving the public ground at Harrisburg, per act of 14th April, 1828,	3,412 00
Do. per resolution of 4th April, 1831,	496 98
	<u>3,908 98</u>
	<u>\$2,335,373 72</u>

## No. II.

## EXPENSES OF GOVERNMENT.

## SENATE.

Pay and mileage of the members,	\$13,155 30
Clerks,	1,735 00
Transcribing,	775 00
Sergeant-at-arms and doorkeepers,	1,150 00

	DOLLS. CTS.		DOLLS. CTS.
Printing,	5,192 99	James Smith serving subpoenas in do.	23 00
Contingencies,	5,600 76	Henry Welsh, printing pamphlet	
	27,609 05	laws, &c. for 1830—31,	1,938 75
HOUSE OF REPRESENTATIVES.		Elias Beidleman, carriage of the	
Pay and mileage of the members,	39,517 20	laws, &c. for 1830—31,	420 00
Clerks,	1,710 00	James Trimble, boxes, packing,	
Transcribing,	1,980 00	&c. do.	107 65
Sergeant-at-arms and door-keepers,	1,190 00	Henry Sprigman, folding, stitch-	
Printing,	7,205 22	ing, &c. do.	176 00
Contingencies,	8,764 75	Solomon Sprigman, binding, do.	22 00
	60,367 17		5,467 82
EXECUTIVE DEPARTMENT.			\$195,306 91
Governor's salary,	3,000 00	NO. III.	
Secretary of the Commonwealth,	1,600 00	MILITIA EXPENSES.	
Deputy Secretary,	1,000 00	Samuel Power, adjutant general, expen-	
Clerks,	3,050 00	ses and salary,	624 45
Contingencies,	2,044 84	Daniel Sharpe, inspector first brigade,	
	10,694 84	first division, salary,	500 00
JUDICIARY DEPARTMENT.		John Davis, first brigade, second division,	
Chief Justices' salary,	2,666 64	salary,	125 00
Associate Justices of the Supreme		Henry Daub, second brigade, second divi-	
Court,	7,540 72	sion, salary,	337 50
Circuit Expenses,	4,860 00	Thomas Jones, first brigade, third division,	
Attorney General's salary,	300 00	salary,	250 00
Presidents of the Courts of Common		Disbursements,	265 72
Pleas,	28,162 52		515 72
Judges of District Courts,	9,814 40	John Kerlin, second brigade, third divi-	
Recorders of Mayors' Courts,	2,100 00	sion, salary,	200 00
Associate Judges,	14,299 66	Disbursements,	13 20
	69,743 94		213 20
TREASURY DEPARTMENT.		Samuel Ringwalt, first brigade, fourth di-	
State Treasurer's salary,	1,400 00	vision, salary,	216 66
Clerks,	2,650 00	Michael H. Spangler, first brigade, fifth	
Printing annual report for 1830,	352 00	division, disbursements,	530 00
Contingencies,	442 63	Jacob Sanders, second brigade, fifth di-	
	4,844 63	sion, salary,	154 50
ACCOUNTANT DEPARTMENT.		Disbursements,	705 35
Auditor Generals salary,	1,400 00		859 85
Clerks,	3,000 00	Thomas C. Miller, late do. disbursements	
Printing annual report for 1830,	80 00	Joel Bailey, first brigade, sixth division,	
Contingencies,	698 37	salary,	375 00
	5,178 37	Disbursements,	363 46
LAND OFFICE.			738 46
Secretary of the Land Office, salary,	1,400 00	Jeremiah Shappell, second brigade, sixth	
Clerks,	3,820 00	division, salary,	250 00
Contingencies,	953 14	John H. Keller, first brigade, seventh di-	
	6,173 14	vision, salary,	300 00
SURVEYOR GENERAL'S OFFICE.		Disbursements,	392 00
Surveyor General's salary,	1,750 00		692 00
Clerks,	3,114 16	Jacob Hartz, second brigade, seventh di-	
Contingencies,	363 79	vision, salary,	205 00
	5,227 95	Disbursements,	189 64
MISCELLANEOUS EXPENSES.			394 64
Wardens of the Port,	1,944 42	John Ludwig, first brigade, eighth di-	
Jesse R. Burden, chairman of the		vision, salary,	275 00
joint committee of the State Li-		Disbursements,	391 79
brary,	520 00		666 79
William Musgrave, state librarian,	180 00	Isaac Bowman, second brigade, eighth di-	
Printers and others for publishing,		vision, salary,	300 00
&c. the Governor's proclamation		Disbursements,	533 85
to convene the legislature in No-			833 85
vember, 1829,	33 50	Robert Fleming, first brigade, ninth di-	
Robert Dickey and Isaac Hoves,		vision, salary,	125 00
taking care of the State Capitol,		Disbursements,	79 10
during the recess of the legisla-			204 10
ture, for 1830,	60 00	John Horton, jr. second brigade, ninth	
Witnesses in the case of the Wal-		division, salary,	250 00
nut street prison in Philadelphia,	42 50	Disbursements,	256 82
			506 82
		Ephraim B. Gerould, late do. disburse-	
		ments,	13 00
		Henry Barnheart, first brigade, tenth di-	
		vision, salary,	230 00
		Disbursement,	243 91
			473 91



	DOLLS. CTS.
John Hasson, second brigade, tenth division, salary,	243 33
Disbursements,	46 05
	<u>289 38</u>
Edward Armor, first brigade, eleventh division, salary,	453 60
George M'Feely, late do. disbursements,	25 10
Jacob Heck, second brigade, eleventh division, salary,	200 00
Disbursements,	130 37
	<u>330 37</u>
Samuel Davidson, first brigade, twelfth division, salary,	210 00
Disbursements,	177 84
	<u>387 84</u>
Alexander Hanna, second brigade, twelfth division, salary,	252 00
John Hitchman, first brigade, thirteenth division, salary,	220 00
Disbursements,	419 61
	<u>639 61</u>
Joseph Enix, second brigade, thirteenth division, salary,	200 00
Disbursements,	462 23
	<u>662 23</u>
John Parke, first brigade, fourteenth division, salary,	265 00
Disbursements,	453 12
	<u>718 12</u>
Benjamin Adams, late do. disbursements,	40 36
Lot Lantz, second brigade, fourteenth division, salary,	135 00
Disbursements,	528 98
	<u>663 98</u>
Andrew M'Farland, first brigade, fifteenth division, salary,	300 00
Disbursements,	966 84
	<u>1,266 84</u>
Robert Orr, jr. second brigade, fifteenth division, salary,	290 00
Disbursements,	156 83
	<u>446 83</u>
B. G. Goll, first brigade, sixteenth division, salary,	345 20
Disbursements,	585 40
	<u>930 60</u>
Edward A. Reynolds, second brigade, sixteenth division, salary,	280 00
Disbursements,	744 20
	<u>1,024 20</u>
Andrew Christy, third brigade, sixteenth division, salary,	285 00
Disbursements,	646 96
	<u>931 96</u>
George B. Porter, former adjutant general, compensation and expenses while settling accounts between the United States and this Commonwealth, per act of 29th March, 1824,	700 00
Nathaniel Brooke, late inspector first brigade, third division, per act of 6th April, 1830,	427 46
David Phillips, keeper of the Arsenal at Meadville, salary,	75 00
Thomas Atkinson, late. do. do.	96 30
Lewis Plitt, do. at Harrisburg, do.	100 00
Do. storage and hauling of arms,	18 79
Philip Kline, hauling arms,	7 75
William Tidey, transportation of a field piece,	18 00
George Enos, transportation of arms,	7 50
Alexander Hanna, do.	25 00
George W. Tryon, repairing arms,	386 04
Thomas Bringham, colours, &c.	464 00
Peter Klipstine, do.	160 00
William Berrett, do.	204 50

	DOLLS. CTS.
Frederick Keefer, drums and fifes,	53 50
	<u>\$20,515 72</u>

NO. IV.  
MEMBERS OF COURTS MARTIAL,  
*Per Act of 11 April, 1825.*

Colonel William M'Kibbin,	87 77
do. Thomas Watson,	157 20
do. James Logan,	71 43
Lt. Col. John Calhoun,	157 20
Major James Sample,	109 17
do. David Ramsey,	134 80
do. Robert Orr, jr.	136 80
Captain William Colmery,	73 46
do. Moses Proudfit,	73 46
do. John Douglas,	114 80
do. A. M'Intosh,	114 80
do. William Orr,	114 80
do. Samuel Barber,	122 47
do. Alexander M'Cain,	114 80
Lieut. Jesse Hitchcock,	60 80
Ensign John M'Cormick,	83 40
Daniel Stanard, judge Advocate,	450 00
Matthew Stanley, late inspector second brigade, third division, per act of 23d February, 1830,	166 12
	<u>2,343 28</u>

NO. V.

PENSIONS AND GRATUITIES.

Amount of pensions and gratuities by special acts of the legislature, and under the power vested in the board for the relief of officers and soldiers of the revolutionary war,	22,226 84
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NO. VI.  
EDUCATION.

Dickinson College,	3,000 00
Western University,	2,400 00
Washington College,	500 00
Deaf and Dumb Institution,	5,285 13
	<u>11,185 13</u>

NO. VII.  
INTEREST ON LOANS.

Holders of the 5 per cent. loan	
of 1821,	46,300 00
Do. loan of 1824,	30,000 00
Do. loan of 1825,	7,500 00
Harrisburg Bank and others, on loan per act of 1st of April, 1826,	7,725 00
	<u>91,525 00</u>

NO. VIII.  
INTERNAL IMPROVEMENT FUND.

Auction duties,	99,602 39
Premiums on loans,	81,097 94
Dividends on bridge, canal and turnpike stock,	31,458 12
Collateral inheritances,	9,753 13
Escheats,	20 00
State Treasury,	110,000 00
Canal tolls,	30,750 82
	<u>362,682 40</u>

NO. IX.  
STATE MAPS.

Benjamin Tanner, for Maps furnished per resolution of twenty-eighth March, 1825,	329 75
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NO. X.  
PENITENTIARY AT PHILADELPHIA.

Salary of Officers per ninth section of the act of 23d April, 1829:	
Samuel R. Wood, warden,	1,500 00

	DOLLS. CTS.
Philip Hahn, jr. overseer,	600 00
Richard Blundin, do.	425 00
John S. Halloway, do.	247 22
William Griffiths, do.	125 00
John D. McLean, late do.	300 00
John Daly, watchman,	125 00
George Merrine, late do.	62 50
John Blundin, former do.	61 81
Franklin Bache, physician,	300 00
	<hr/> 3,746 53

## NO. XI.

## PENITENTIARY NEAR PITTSBURG.

John Irwin, Treasurer, bounty to convicts per 8th article of the act of 23d April, 1829,	124 00
<i>Salary of Officers, per ninth section of the act of 23d April 1829:</i>	
John Patterson, warden,	650 00
J. E. Crosby, overseer,	225 00
Joseph Davis, do.	225 00
William Cochran, late do.	200 00
John Young, late do.	200 00
William Parker, watchman,	355 00
Joseph McKibben, late do.	95 25
William H. Denny, physician,	300 00
A. D. Pollock, clerk,	250 00
	<hr/> 2,500 25
	<hr/> 2,624 25

## No. XII.

## CONVEYING CONVICTS.

James Sillyman, jr. sheriff of Bucks county	\$38 38
Lockwood Smith, jr. do Bradford	220 00
William Kitchen, do Columbia	42 91
Jacob Seiler, do Dauphin	62 49
Alex. W. Brewster, do Erie	147 46
John A. Sangston, do Fayette	62 68
Mark Gordon, do Greene	59 13
Adam Bare, do Lancaster	79 00
Adam Diller, late do do	104 22
Oliver Helme, do Luzerne	95 00
Jacob Loutzenheiser, do Mercer	20 25
Samuel W. Stuart, do Mifflin	127 94
Peter Lazarus, do Northumberland	118 50
	<hr/> 1,177 96

## No. XIII.

## CONVEYING FUGITIVES.

John McLean and W. H. Blaney,	98 00
W. H. Blaney and J. Milliman,	120 98
Willis H. Blaney,	59 08
Adam Bare,	58 00
Jacob Sanders,	153 70
John Aurand,	106 30
	<hr/> 596 06

## No. XIV.

## PENNSYLVANIA CLAIMANTS.

Thomas Overton, of Bradford co. costs, &c.	50 55
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## No. XV.

## DEFENCE OF THE STATE.

John Doran, transportation of baggage, per act of 19th March, 1816,	21 84
Isaac Gibson do.	15 66
Edward Armor, bounty, per do.	10 00
Elizabeth Boyd, widow of James Boyd,	10 00
Michael Holcomb,	10 00
Isaac Bell,	10 00

	DOLLS. CTS.
Charles Fagan,	10 00
Enoch Fagan,	10 00
John Folk,	10 00
	<hr/> 107 50

No. XVI.  
MISCELLANEOUS.

Freeman Lewis, information relative to unpateented lands in Fayette county,	\$20 00
Daniel Africa, Huntingdon,	945 50
William S. Davis, Franklin,	79 50
John Sergeant, professional services in the Circuit court of the United States, in the cases of ejectment brought by the heirs of John Nicholson, per resolution of 7th April, 1830,	1,024 74
Horace Binney, do.	1,000 00
Samuel Douglas, do.	1,100 00
Samuel Douglas and David Krause, do. in Commonwealth vs. George B. Porter,	200 00
Benjamin Champneys, do.	40 06
Philip S. Markley, do. in Commonwealth vs. Thomas Lowry, and Commonwealth vs. Justus Scheetz,	30 00
Ebenezer Kingsbury, jr. do. in Commonwealth vs. Isaac Post,	50 00
B. T. Case,	25 00
Asa Dimock, jr. costs in do.	20 44
S. M. Barclay, collecting public money,	25 00
William F. Boone, do.	7 55
Archibald I. Findlay, do.	169 51
Jonas Yocum, amount of the escheated estate of Polly Hartzfield, refunded him per act of 4th April, 1831,	220 34
Commissioners of Mercer county, refunded them on account of tax on donation land, per act of 27th March, 1819,	118 13
Myron Parks, treasurer of Venango county, tax on Peter Baynton's lands,	40 70
Benjamin Parker, treasurer of Chester co. over-payment on account of collateral inheritances,	29 01
Executor of Zurah Smith, late treasurer of Luzerne co. over-payment on account of retailers licences,	12 70
William B. Foster, collector of tolls at Allegheny-town, amount placed to his credit, by mistake in the State Treasury, on 6th October, 1830,	825 00
Solomon Springman, binding stock books for the loans per acts of 21st and 30th March, 1831, for the Auditor Gen's. office,	135 00
James Loudon, do. for State Treasury,	110 00
Hugh Hamilton and Son, printing and binding a certificate book for the loans per acts of 21st and 30th March, 1831,	5 00
Do. publishing Circuit courts,	5 00
Henry Welsh, do.	13 00
Peter Hay & Co. publishing the list of hawkers and pedlers,	6 50
Francis W. Rawle, expenses as commissioner to examine the works of the Delaware and Hudson Canal Company, per resolution of 6th February, 1830,	35 76
Commissioners for painting and repairing the [State Capitol, per resolution of 4th April, 1831,	1,000 00
Commissioners for revising the civil code, per resolution of 4th April, 1831,	1,700 00
Samuel Workman, sundry reports of the Supreme Court, for the use of the Board of Property, per resolution of 4th April, 1831,	135 50
	<hr/> \$9,128 94

N. B. In the following paper, some matters found in all the medical publications on this subject, have been omitted, and the Address subjected to a general revision.

### ADDRESS

*Delivered before the Kensington Young Men's Temperance Society, July 4, 1830, on the presentation of the Annual Report of the Managers; by B. H. COATES, M. D.*

MR. CHAIRMAN:

I have listened with pleasure to the Report which has just been read; and will take the liberty of adding the expression of some feelings arising from the nature of the occasion. Not only is the object of this assemblage interesting and important, but the day has certainly been wisely chosen to awaken old and habitual associations. At this hour, throughout the wide extended range of American territory, its thronging population is assembled to celebrate the triumphs of our political independence. Every city, town and village, through all the diversified climates of our land, has its church or its court house occupied by sedate and thoughtful crowds, listening perhaps, to those accents which remind them of the successful struggle of their ancestors, the value of liberty, and the obligation to transmit to posterity the blessing unimpaired. Others, wearied with the repetition of the tale, thrice told, but yearly augmenting in interest, of national liberation and triumph, will have embraced the occasion to inculcate a farther extension of those useful toils which are creating the prosperity of the age. From the pulpit of one building we are told of the value of mental cultivation; from the bench of another we are impressed with the necessity of more liberal provision for inland navigation and commerce; while, in a third, the most strenuous persuasion is employed to urge the expediency of introducing new subjects for agriculture or manufactures.

We have met, on the other hand, not to listen to accounts of the victories of man over those who would enslave him, nor even to the arguments of patriotism for the extension of knowledge, or the augmentation of productive industry. With these our population is well acquainted. Let us at other times engage in the tasks they urge upon us. Let patriots and philanthropists employ their hours in forming roads and canals, in disseminating a knowledge of useful sciences and arts, in reforming the criminal and succouring the pauper, in extending education to the whole mass of the community, in planting new vineyards, and converting into articles of profitable trade the produce of our silkworms. We wish all prosperity to the labours of these. May their toils be rewarded by the pleasures of success, by the gratification of serving their fellow creatures, and by a just and honourable applause. They teach us new modes of increasing human comfort; they exhibit new methods of so directing the industry of man, as to produce for himself additional pleasures, and additional provision for his offspring. Be it yours to act upon the moral agent himself! Let the citizen whose benefit is

the final object of all these multifarious efforts, be persuaded by your agency, to preserve unimpaired for this and yet a higher destiny, those powers bodily and mental with which the Creator has endowed him. What avail the most enlightened plans for the promotion of useful arts, when the instruments with which they are to be executed, patient and intelligent men, are decaying with the rust of intemperance? Of what import is the prosperity of the nation to him who lies intoxicated by the road side, enjoying nothing, seeking nothing but liquor and a bed? Or, to borrow a still more awful reflection from the Author of our religion, "What shall it profit a man if he shall gain the whole world and lose his own soul?" Others shall tell us how best to employ our faculties. We have come here to urge upon one another, and upon our fellow citizens, the habits which tend to preserve those faculties from premature imbecility and untimely dissolution. It is enough for me to allude to considerations of more solemn consequence and of eternal import. I leave these to abler and fitter hands, who will know how to enforce them with that power which belongs to the written will of God, and to the all absorbing prospects of a future world.

While thus conceded to the ministers of religion the sanctity and energy of appeal which belongs to their solemn duty, allow me to claim for medical men opportunities as frequent as any, for knowing and feeling the extent of the evil. I shall not now detain you with dry professional details. Occasion has been found for the promulgation of these, and it is unnecessary now to repeat them. It is at present generally conceded, that ardent spirits are the source of a large and frightful portion of the sickness and mortality which exist among us—that they shorten life, accelerate disease, and anticipate or ensure the advent of death. The physician, who witnesses the banquet of the intemperate, has habitually before his mental eyes, the awful presages of long and painful disease, of the mortification and distress of families, and at a distance somewhat more remote, of slow but unfailing mortality. Misery and humiliation are in the cup, and death lurks behind the bowl. In the flowing hilarity of the debauch he sees a train of mortal evils, and in the hysterical excitement of intoxication, a premonition of approaching dissolution. Such was the feeling of the poet, when, from the alternate laughter and tears of an excited and riotous assemblage, he draws an omen of their impending destruction. The inspired augur who beholds shadowy spectres surrounding the banquet, is treated with ridicule, and sadly leaves the hall to avoid the fast approaching doom so apparent to him, and so inevitable to its victims.

But Pallas clouds with intellectual gloom

The suitors' souls, unmindful of their doom.

A mirthful phrenzy seiz'd the fated crowd.

The roofs resound with causeless laughter loud—

Then down each cheek the tears spontaneous flow,

And sudden sighs presage approaching woe.

In vision rapt, the Hyperesian seer

Uprose, and thus divin'd the vengeance near.



"O race to death devote ! with Styg'an shade  
 Each destin'd peer impending fates invade.  
 With tears your wan, distorted cheeks are crown'd;  
 With sanguine drops the walls are rubied round,  
 Thick swarms the spacious hall with howling ghosts,  
 To people Orcus, and the burning coasts—  
 "Unguided hence my trembling steps I bend,  
 Far hence, before yon hov'ring deaths descend;  
 Lest, the ripe harvest of revenge begun,  
 I share the doom ye suitors cannot shun.

Yet, warn'd in vain, with laughter loud elate,  
 The peers reproach the sure divine of fate—

Let my feeble voice, then, be added to that impulse which urges to the total disuse of the poison of ardent spirits. They are to be denounced as the cause of sickness, poverty, disgrace and mortality; while it is equally undeniable that they contribute nothing to the useful strength of the labourer. There is no hesitation in giving it as medical opinion, that the employment of them is altogether unnecessary to him, and does not increase his ability for serviceable toil. For a while, they exhilarate the mind, and remove the sense of pain and fatigue; but this is only to land the patient in a state of greater exhaustion. Let us then urge all among us to tally to shun these substances, which form such an absorbing vortex of destruction to those who approach them, slow as the circumference, but rapid and headlong at the centre to which it tends.

Let your members not be discouraged by the circumstance of their belonging to the younger portion of the community. These are precisely the best materials for reform. Those, who have yet constitutions to save and characters to establish, are to compose the next generation. I was strongly impressed with a phrase once used in another association, the members of which, chiefly of the younger class, had heard themselves styled "men of yesterday." It was retorted that we were the "men of to-morrow." Yes! Mr. Chairman, we are the men of to-morrow. It is upon the young that the struggles and the active business of life devolve in every age and country; and in no part of the world is this more conspicuously the case than in the rapidly growing community of America. The term "Senator" has with us become a solecism. We have not old men enough to fill our public offices; and the duties public and private of the state are by compulsion relinquished to their juniors. Let your hands then be strengthened to persevere; and let this village of Kensington, the seat of the most honourable transaction recorded in modern history, be foremost in the race of improvement. In this town, and perhaps, in this very spot, one hundred and fifty-eight years ago, were encamped the swarthy tribes who executed the celebrated treaty of Shackamaxon. Their forms and almost their nations have departed. Let the reform for which we are this day assembled diminish the regrets of the philanthropist, in evincing that Providence has replaced them by a more virtuous as well as a wiser race of human beings.

## BANK OF THE UNITED STATES.

*Extract from the annual Report of the Secretary of the Treasury of the United States, December 7, 1831.*

It will be thus perceived that the Government has the means, if properly employed, of reimbursing the whole of the public debt by purchase or otherwise, on or before the 3d of March, 1833.

The moral influence which such an example would necessarily produce throughout the world in removing apprehension and inspiring new confidence in our free institutions cannot be questioned. Seventeen years ago the country emerged from an expensive war, encumbered with a debt of more than one hundred and twenty-seven millions, and comparatively in a defenceless state. In this short period it has promptly repealed all the direct and internal taxes which were imposed during the war, relying mainly upon revenue derived from imports and sales of the public domain. From these sources, besides providing for the general expenditure, the frontier has been extensively fortified, the naval and maritime resources strengthened and part of the debt of gratitude to the survivors of the revolutionary war discharged. We have moreover, contributed a large share to the general improvement, added to the extent of the Union by the purchase of the valuable Territory of Florida, and finally acquired the means of extinguishing the heavy debt incurred in sustaining the late war, and all that remained of the debt of the revolution.

The anxious hope with which the people have looked forward to this period, not less than the present state of the public minds and the real interests of the community at large, recommend the prompt application of these means to that great object, if it can be done consistently with a proper regard for other important considerations.

Of these means, as has already been shown, the shares owned by the Government in the Bank of the United States are an indispensable part; and, that for the reimbursement of the debt within the period contemplated, it will be necessary to effect a sale of them for a sum not less than eight millions of dollars.

The stock created by the United States for their subscription to the Bank, having been actually paid previously to the 1st of July last, their interest in that institution had ceased to be nominal merely, and the shares form a part of the fiscal resources applicable to the public demands.

The objects connected with the early reimbursement of the public debt are more important than the interest of the Government as a mere stockholder; and it is therefore respectfully recommended to Congress to authorize the sale of those shares for a sum not less than 8,000,000 of dollars.

A sale of so large an amount in the public market could not be expected to produce more than the par value, and if attempted under circumstances calculated to shake public confidence in the stability of the institution, would, in all probability, prove wholly abortive. For these reasons, it is deemed advisable to effect a sale to the Bank itself,—a measure believed to be practicable on terms satisfactory both to the United States and that institution.

In submitting this proposition to the wisdom of Congress, it is not intended that its adoption should be founded on any pledge for the renewal of the charter of the Bank. Considering, however, the connexion of the proposition with the bank, and viewing the whole subject as a necessary part of the plans for the improvement and management of the revenue, and for the support of public credit, the undersigned feels it his duty to accompany it with a frank expression of his opinions.

The act of Congress to establish the Treasury Department makes it the duty of the Secretary of the Treasury to digest and prepare plans for the support of public credit, and for the improvement and management

of the revenue. The duties enjoined, as well by this act, as by the subsequent one of the 10th of May, 1800, requiring the Secretary "to digest, prepare and lay before Congress at the commencement of every session, a report on the subject of finance, containing estimates of the public revenue and public expenditures, and plans for improving or increasing the revenues, from time to time, for the purpose of giving information to Congress in adopting modes for raising the money requisite to meet the public expenditure," have been supposed to include not merely the application of the resources of the government, but the whole subject of the currency and the means of preserving its soundness.

On this supposition, the first Secretary of the Treasury, in his memorable reports of January and December, 1790, recommended a national bank as "an institution of primary importance to the finances, and of the greatest utility in the operations connected with the support of public credit;" and various communications since made to Congress show that the same views were entertained of their duties by others who have preceded him in the department.

The performance of the duties thus enjoined by law upon the Secretary of the Treasury, implies however, no commitment of any other department of the Government; each being left free to act according to the mode pointed out by the constitution.

The important charge confided to the Treasury Department, and on which the operations of the government essentially depend, in the improvement and management of the revenue and the support of public credit; and of transferring the public funds to all parts of the United States, imperiously requires from the government all the facilities which it may constitutionally provide for those objects, and especially for regulating and preserving a sound currency.

As early as May, 1781, the Congress of the United States, convened under the articles of confederation, approved the plan of a National Bank, submitted to their consideration by Mr. Morris, then superintendent of the finances, and, on the 31st of December of the same year, "from a conviction of the support which the finances of the United States would receive from the establishment of a national bank," passed an ordinance incorporating such an institution under the name and style "of the President, directors, and company of the Bank of North America." The aid afforded by that institution was acknowledged to have been of essential consequence during the remaining period of the war, and its utility, subsequent to the peace, of little less importance.

The authority of the present Government to create an institution for the same purposes, cannot be less clear. It has, moreover, the sanction of the executive, legislative and judicial authorities, and of a majority of the people of the United States from the organization of the Government to the present time.—If public opinion cannot be considered the infallible expounder, it is among the soundest commentators of the constitution. It is undoubtedly the wisest guide and only effective check, to those to whom the administration of the constitution is confided: and it is believed, that, in free and enlightened states, the harmony not less than the welfare of the community, is best promoted by receiving as settled those great questions of public policy in which the constituted authorities have long concurred, and in which they have been sustained by the unequivocal expression of the will of the people.

The indispensable necessity of such an institution for the fiscal operations of the Government in all its departments, for the regulation and preservation of a sound currency, for the aid of commercial transactions generally, and even for the safety and utility of local banks is not doubted, and, it is believed, has been shown in the past experience of the Government, and in the general accommodation and operation of the present bank.

The present institution may, indeed, be considered as peculiarly the offspring of that necessity springing from the inconveniences which followed the loss of the first bank of the United States, and the evils and distresses incident to the excessive, and, in some instances, fraudulent issues of the local banks during the war. The propriety of continuing it is to be considered not more in reference to the expediency of banking generally, than in regard to the actual state of things, and to the multiplicity of state banks already in existence, and which can neither be displaced, nor in other manner controlled, in their issues of paper, by the General Government. This is an evil not to be submitted to; and the remedy at present applied, while it preserves a sound currency for the country at large, promotes the real interests of the local banks by giving soundness to their paper.

If the necessity of a banking institution be conceded or shown, that which shall judiciously combine the power of the government with private enterprise, is believed to be most efficacious. The Government would thus obtain the benefit of individual sagacity in the general management of the bank, and, by means of its deposits and shares in the direction, possess the necessary power for the prevention of abuse.

It is not intended to assert that the Bank of the United States, as at present organised, is perfect, or that the essential objects of such an institution might not be attained by means of an entirely new one, organised upon proper principles, and with salutary limitations. It must be admitted, however, that the good management of the present bank, the accommodation it has given the government, and the practical benefits it has rendered the community—whether it may or may not have accomplished all that was expected from it—and the advantages of its present condition, are circumstances in its favor entitled to great weight, and give it strong claims upon the consideration of Congress, in any future legislation upon the subject.

To these may be added the knowledge the present bank has acquired of the business and wants of the various portions of this extensive country, which, being the result of time and experience, is an advantage it must necessarily possess over any new institution.

It is to be observed, moreover, that the facilities of capital actually afforded by the present institution to the agricultural, commercial and manufacturing industry of all parts of the Union, could not be withdrawn, even by transferring them to another institution, without a severe shock to each of those interests, and to the relations of society generally.

To similar considerations, it may be presumed, is to be traced the uniform policy of the several states of the Union of re-chartering their local institutions, with such modifications as experience may have dictated, in preference to creating new ones.

Should any objection be felt or entertained, on the score of monopoly, it might be obviated by placing, through the means of a sufficient premium, the present institution upon the footing of a new one, and guarding its future operations by such judicious checks and limitations as experience may have shown to be necessary.

These considerations, and others, which will be adverted to in a subsequent part of this report, the experience of the Department in the trying periods of its history, and the convictions of his own judgment, concurring with those of the eminent men who have preceded the undersigned in its administration, induce him to recommend the expediency of re-chartering the present bank at the proper time, and with such modifications as, without impairing its usefulness to the government and the community, may be calculated to recommend it to the approbation of the Executive, and, what is vitally important, to the confidence of the people.

Should Congress deem it expedient to authorize the sale of the bank shares for a sum not less than eight millions of dollars, the reimbursement of the public

debt on or before the 3d day of March, 1833, may be confidently anticipated, and, from that period, the amount of revenue applicable to that object will be no longer required.

**BENJAMIN WEST.**—We learn that the venerable revolutionary Major Gibbon, of Richmond, in Virginia, recently sent to our townsman Mr. Roberts Vaux, a bust of Mr. West, by Chantrey, with a request that it should be presented to one of the public institutions in this state. Mr. Vaux very properly selected the Pennsylvania Hospital, as the appropriate depository of the excellent likeness of the celebrated painter, who not only honored that ancient and noble charity, but augmented its funds, by the presentation of his great picture, of "*Christ healing in the Temple*."

The bust has been placed in the building where the work of the distinguished artist, and benefactor of the Hospital is exhibited, with the following inscription.

"**BENJAMIN WEST.**

"Born in Pennsylvania, A. D. 1738.

"Died in London, A. D. 1820.

"Presented by James Gibbon of Richmond, Virginia, A. D. 1831."

The natural, and liberal sentiment, which, no doubt, induced Major Gibbon to commit the keeping of this valuable bust to *Pennsylvania*, will be fully and generally appreciated, when it is recollected that he is himself a native of Philadelphia.—*Philadelphia Gazette of November 30.*

From the Saturday Evening Post.

**BUTCHERS vs. SHINNERS.**

**PHILIP WORMS**, Clerk of the Market, who sues as well for the Mayor, Aldermen, and Citizens of the city of Philadelphia, as for himself:—**vs. GEORGE ROSEMAN.**  
*Counsel for Commonwealth*—Messrs. D. P. Brown, and S. Brahears.—*Counsel for Defendant*—C. J. Ingersol, Esq.

Defendant was charged with occupying a stall in the Jersey market, under pretence of being a farmer. The stalls in that market being reserved exclusively, by the ordinances of the city, for the use of farmers, bringing the produce of their farms to market, no butcher is entitled to hold one.

*Christian Shaffer sworn*—I know Roseman, he is a butcher, and follows the business as regularly every day as any other butcher who goes to market; stands in the Jersey market; I think at No. 9, on the north side; I know he is not a farmer; he lives in Camden, N. J.; keeps a store; has no farm, or had not three weeks ago; he killed cattle at Wm. Paul's Ferry, regularly every day; Mr. Barnes, and I, and Mr. Roseman killed there; Roseman bought from Mr. Tumbleston, 2900 dollars worth of cattle between first of January last and this time. He drew them every other Monday, or Thursday, the same as every other regular butcher; I have known him to sell these cattle here; I saw him last Saturday in market. About the middle of June he bought 182 head of cattle, he and Barnes together; has no farm to feed them on; Roseman pays 45 dollars a year rent, to the Commissioners.

*Cross-examined*—In the forepart of January last, he bought cattle of Tumbleston; killed them in Camden; kept them at Paul's barn yard in a pen; fed them on hay; gave them no corn, as I seen: I know he sold the same cattle in the market; Roseman had a farm a few miles from Camden; traded it in January last to a woman in Camden; bought it from Dallet; I never knew of his leasing a farm; I am certain he had no place before three weeks ago; he sold the farm before he bought the cattle. I call a man a farmer who owns from 50 to 3 or 400 acres of land; men who own less than 50 acres I call

gardeners. Roseman bought 60 head of cattle from John Dean, in Salem county, last June; he told me so himself; I suspect they are on the farm yet; Roseman said they would not cost more than five dollars per hundred; would make fat cattle, before the season expired; all butchers understand that when cattle are bought, they are to remain on the farm until they get fat; I know of no partnership between Dean and Roseman; Roseman was never a farmer while I knew him.

[In relation to another defendant—Mr. Johnson—Mr. Shaffer deposed as follows:]

Johnson was selling mutton and lamb last Saturday; I do not know where he got it; he sold by joint or pound, as other butchers do; I bought mine for my own use; Johnson told me if the butchers should take him up, or if any accident should happen, he would go to Paul Scull to be licensed as a farmer; he meant by a license, that Scull would lease him a farm if he got found out; we had this conversation when killing together; Johnson bought cattle of Scull; he said he knew he had no right to sell in the Jersey market, but that the matter was all fixed with Scull; Paul Scull is willing to license me as well as Johnson; Barnes and Scull were in partnership last year.

*George Kline, sworn*—I know George Roseman; should call him a butcher; he lives in Camden; and stands in the Jersey market; sells beef same as other butchers; has no farm; raises no cattle; buys all his cattle; he bought a lot of Tumbleston; he kills at Paul's Ferry.

[In relation to Barnes, another defendant, Mr. Kline deposed as follows:]

I know Barnes; he is a butcher; I never knew him to own a farm; he lives at Paul's Ferry, Camden; buys his cattle sometimes in Jersey, and sometimes on this side of the river; I was once in his employ, and have frequently got up at the dead hour of night, to drive cattle up to Kensington, and thence across the river, to prevent the butchers from seeing; I have done so not less than twice.

*Cross examined*—A farmer is a man who owns a farm, and raises his produce from the ground. [To a question by Defendant's counsel, witness said he never heard of Cincinnati.]

*Daniel Holtzman, affirmed*—Roseman is, I presume, a butcher; he has bought cattle in Salem county, where I also have purchased.

*William Poppel, sworn*—I know Roseman; always understood he was a butcher; have seen him in market selling beef.

*Cross-examined*—I know of no fund raised by the butchers to carry on this prosecution; there is a butcher's society; the members pay 12½ cents per month; I do not know what is done with the money.

*James Read, affirmed*—I have known Roseman for nearly twenty-five years; he lives near Camden, and follows butchering; I have seen stock driven to Roseman's; I know he moved from Camden; I believe he swopped his farm for a house and lot in Camden; has three lots; they are putting buildings on one; lots are large enough to put half a dozen cattle on; not to graze, however; they are building lots.

*George Lowry, sworn*—I know Roseman; he is a butcher; he buys his cattle sometimes in Jersey, and sometimes on this side of the river; he slaughters generally in Camden; I know the Johnsons; [other defendants] they follow butchering; kill sheep, lambs and calves; will sell by the half pound, if you want it; I saw them in market last Saturday.

*George Krouse, sworn*—I lived with Mr. Barnes about a month, six months ago; he had no farm; killed at Camden; was a butcher, and employed me to assist him. I lived with Roseman five years; he had a farm, but sold it some time ago; he bought cattle all about the country; some on this side the river, which he took over and slaughtered; I have brought the meat to market, and sold it; I never knew Roseman to raise cattle on his farm.



*Cross-examined.*—Roseman's farm was five or six acres, and a swamp; never knew him to have any other farm, except where he bought cattle; when cattle are bought, grass to feed them is also purchased; the best are taken and killed, and the others left to improve; sometimes a part of a lot is left three or four months; all butchers do so, and draw cattle to kill, as they want.

[The examination of witnesses on behalf of the prosecution, was here closed.]

#### ON BEHALF OF DEFENDANT.

*Paul Scull, affirmed*—I am a farmer or grazier; I own five hundred and fifty acres of land; some I use for grazing, and some for tiling; I raise Indian corn, wheat, rye, &c.; have from seventy to ninety acres in corn every year; Mr. Roseman has bought cattle of me; bought the grass also to feed them on; cattle to run from time of purchase to New Year's; some poor, some in good order; none fat; Roseman has cattle on my grass now; he bought them in July, to run till Christmas or until the end of the season; I have known farmers purchase cattle in the winter and sell them at their stalls without running out to graze; I never offered to lease a farm to Christian Shaffer; butchers commonly buy their cattle at a drove yard; I have known Roseman for ten years; he sells beef in the market; I have not seen him farming for the last ten years, as I live so far off; I have not seen him superintend a farm; he bought cattle of me some years ago; and I saw the same cattle on his farm; I consider him a farmer; I have sold him fifty-eight head this year; never saw him kill; his slaughter house is in Camden; I heard of this prosecution in Jersey; every body in Jersey knows of it; I never have sold cattle to regular butchers; I frequently tend market; there is beef generally sold on the stall; the stall (No. 20 Jersey Market) is taken in the name of John Barnes and myself; I bought apples to-day; some time last winter I was up with poultry; I never knew Roseman to stand at that stall; don't recollect that I ever spoke to any person about making them farmers; Roseman bought the grass with the cattle; I never sold grass with cattle when they were taken away immediately; last year I furnished John Barnes with beef; he killed the beef for me; I had about eighty head last year; he acted as my agent; I gave him a certain share of the profits. [To the question, "What is the difference between a grazier and a farmer?" witness replied: "I do not think there is any difference. Joseph Bonaparte is a farmer—if he came to market and sold his beef, he would still be a farmer. The Jersey farmers do not think that Roseman and the other defendants have violated the privileges of farmers; they complain that the Philadelphia butchers interfere with them."]

*John Dean, affirmed*—I call myself a farmer; I have about three hundred acres; Roseman has bought cattle of me; some time in last June he came to my house to purchase; he walked into the meadow, as he wanted to see the quantity and quality of the grass; I marked out the ground allotted to cattle; we bargained, and I said I would not put other cattle on the grass; he was to draw from the lot as he wanted.

*Cross-examined*—This is the only sale I made to Roseman; he is a farmer and a butcher too; I have never seen his farm; I have seen him sell beef; I have sold cattle to thousands. It is common for butchers to allow their cattle to remain until they draw them; I have sold cattle to butchers in Philadelphia, not fat; sold them to Roseman, and allowed them to graze, to the exclusion of other cattle; no rent; made no distinct charge for grass; do not know where Roseman lives; I drove the cattle purchased by Roseman, part of the way to Camden; Roseman had the privilege of putting other cattle on the grass.

*J. Lucley Reese, affirmed*—I have known Roseman for two years; have sold him cattle; sold him a cow which he took to his farm six miles from Camden; I saw five or six other cattle grazing there; the cow was poor, and

he took her up to fatten; the farm was on the road from Haddonfield to Moorestown; Roseman lives in Plumb-street, Camden; keeps house; in September of last year he traded his farm for a lot in Camden; he follows selling meat and farming; he took a farm of Gilmore this fall, on a lease.

*Arthur Green, affirmed*—I sold Roseman forty head of cattle on the eighth of June last; the cattle were not all fit to kill; Roseman was to have a certain portion of grass for the cattle; to be taken away as he wanted them.

*Joseph Gilmore, sworn*—Mr. Roseman has leased land of me; sixteen acres sown in corn and turnips by Roseman; I let it to him last month, since this suit commenced; Roseman lives in Plumb street, Camden; kills at the lery; his lot in Camden is forty by sixty feet, no turnips growing on it; I saw him have cattle in pasture, he follows butchering; I rented him the sixteen acres about the leventh or twelfth August; he went on it immediately; he took it on Saturday, and began to sow on Monday.

*William Goodin, affirmed*—I am a farmer and grazer; I have near four hundred acres of land in Salem county, N. J.; I have been in the habit of selling cattle to Mr. Roseman for better than nine years; I have sold him some this season; they are grazing on the island, of which they have the exclusive privilege; the island contains ninety-two acres; I do not consider myself at liberty to put my own cattle there until they go off; they were bought in June, and have the whole season to run; the cattle were poor; Mr. Roseman has drawn six head a month ago; I have always dealt with him in the same way; the cattle were poor when I sold them; I should place him as a farmer or grazier; I suppose he was a grazier; I expect I have sold cattle to regular butchers on the same terms; I believe it is the general mode of selling; I don't know of a single instance of a farmer who had land of his own purchasing cattle and leaving them to be fattened on land belonging to others; I suppose myself a farmer and grazer; I suppose Mr. Roseman bought the cattle for his own purpose as a butcher; it is likely I called him a butcher; I suppose I called him a butcher.

*Jacob Ludenhu, affirmed*—Mr. Roseman is in the habit of buying poor cattle; he has bought two cows this year; he bought from Mr. Keen and Sarah Smith; I believe he is always ready to buy poor cattle; I am a grocer and live in Camden; Mr. R.'s slaughter house is in Camden; he has lived in Camden about two years; not always in the same house; he lived in Federal street; he had no objection to buying poor cattle; I have seen him at his stall in the market; I have not known him to be engaged in farming for the two last years.

*Elijah Dallett, sworn*—I have sold Mr. Roseman twenty-eight acres of land; it is four miles from Camden, near the shore; next March will be three years since I sold it; I have knowledge that he sold it to Baker or Barker; I think I gave the deed to Mr. Barker, and not to Mr. Roseman; Mr. Roseman sells his tallow to me; I have known a farmer to sell as much tallow to me as Roseman.

*David Woelpper, sworn*—I have known Mr. Roseman ten years; I have seen him in market; he is a butcher; I have heard great complaints among the farmers themselves on the subject; it is quite common for butchers to buy cattle and leave them to fatten; it is not at all uncommon for butchers to have grazing fields; I do not consider such as farmers; I have about twenty-seven acres of land, and feed about twenty head of cattle; the commissioners would not grant me a stall in the Jersey market, or among the farmers; I have known Roseman frequently to buy cattle in Salem county fit to kill; I would call Mr. Girard a farmer to a certain extent; I have never known a farmer to graze his cattle and feed and sell them; I never knew a man who merely kept a field for grazing, called a farmer in my life.

*Henry Boraff, sworn*—I have two hundred and twen-

ty acres, and feed one hundred and fifty head of cattle; I am a butcher; I never knew a grazier or a farmer to buy cattle; I have bought five hundred head of cattle and let them go to get fat; I am not a farmer; it is a custom perfectly understood, that when butchers buy poor cattle, they run to improve; it is the very distinction between butchers and farmers; I have known Mr. Roseman in market for seven or ten years; he is a butcher; cuts up and sells as I do; there are heavy complaints made against his encroachments, made by citizens as well as by the butchers; the Pennsylvania farmers are not pleased with Roseman; "*Roseman the butcher*," is always spoken of; I call myself a grazier as to what I do in fattening cattle.

*William Cooper, affirmed*—I sold Roseman thirty-six head of cattle; Roseman has six acres of land at Mount Meadow; I can't say whether he is a farmer or a butcher; I never saw him engaged in farming operations; I have sold to regular butchers as well as to Roseman.

It was contended on the part of the Plaintiff—

1. That the defendant was not a *farmer* within the intendment of any of the ordinances made in regard to the Jersey market. That he owned *no farm* and raised *no produce* for the purpose of bringing it to market. That the cultivation of the earth was not his principal occupation, and it was not the object to which he devoted his time and attention. That inasmuch as the defendant, Roseman, was in the constant habit of exposing butchers' meat to sale in the Jersey market, which, according to the evidence, was not raised upon his farm, that he was acting in violation of the ordinance of the 29th of September, 1822, and was liable to the penalty inflicted by ordinance No. 145 upon persons occupying stands in the market not appropriated to his use.

2. That the defendant, Roseman, was a *butcher* in the disguise of a farmer. That all the evidence went to shew that he was constantly in the habit of purchasing large numbers of cattle—of slaughtering them in Camden, and of bringing them to the Jersey market, and exposing the meat to sale there. That the testimony on the part of the prosecution had not only shown that in June, a short time prior to the institution of the proceedings against the defendant—that he had purchased ninety-one head of cattle from Tumbleton—but that the witness produced on the part of the defendant himself had proved, that the defendant had within a short time, (say within six months of the time of instituting the prosecution) purchased more than two hundred head of cattle of different persons; that he had no lands of his own or under lease upon which such numbers of cattle could be grazed, and that as it was evident that the greater part of them had been killed and sold in the Jersey market, the vocation of the defendant was substantially that of *butcher* and not that of a farmer.

3. That he was not an *agent*. That it was not pretended that he was a Jersey farmer selling the produce of other Jersey farmers with his own produce. That he was not an agent or person employed by any person renting a stall or stand, who did not find it convenient to attend to the market personally.

The counsel for the defendant failing to invalidate these positions, the Mayor gave the following as his decision.

#### DECISION OF THE MAYOR.

The defendant is charged with occupying a stand in the Jersey Market not appropriated to him. The Legislature has in several acts of Assembly, designated the portions of the market houses that may be occupied by country people, and those appropriated to butchers. In pursuance of the authority vested in them, and in accordance with the spirit of the acts of Assembly, the councils have enacted various ordinances, assigning places and establishing regulations for persons of different occupations, attending the markets. The market house, occupied by defendant has been the subject of special provisions. The ordinance of 29th of March,

1798, appropriates this market house for the inhabitants of New Jersey exclusively."

By the ordinances of the 26th of September 1822, it is enacted, "That the City Commissioners shall rent the stalls and eve stands in the Jersey market house in High street, to *farmers* of New Jersey, for the purpose of exposing the produce of their farms or gardens for sale, and to none others, any existing ordinance to the contrary notwithstanding."

By the ordinance of the 28th of March, 1822, it is enacted, "That if any person shall use or occupy any stand or space within the limits of the markets of this city, other than that which is or may be appropriated for such person, he shall forfeit the sum of five dollars, &c." The question raised is, as to the profession or occupation of the defendant. If not a farmer of New Jersey, he is plainly excluded by the ordinances; nor does the circumstance of his having rented under the City Commissioners affect the law or his right under it.

The profession or occupation of a man should be determined by his habitual engagements, or from the business by which he derives his support and income. It is not alleged that defendant owned or cultivated a farm at the period of the commencement of his suit: nor is any evidence given of his engagements in farming occupations. It is alleged, however, that he purchases cattle and fattens them on the farms of others, and that this constitutes him a farmer. It has been proven such is the constant practice of butchers generally. It is clear that all the farming-engagements of defendant, if such they may be called, are subsidiary to his business as a butcher; and a decision that would admit him to the privilege of a farmer in the markets, would extend the same privilege to many of our butchers, and thus annul our most salutary regulations. Several witnesses for the prosecution testify that defendant is a butcher, that he follows butchering as other butchers do: James Reed, who lives in Camden, (where defendant resides) testifies that he has known him for several years—that he sees him daily; that he follows butchering and nothing else. The convenience of farmers, renters of stalls is amply provided for, by that provision of the ordinances which allows them to sell at their proper stalls, by agents or deputies. The defendant is not a deputy or agent, and his profession or occupation, excludes him from the occupancy of a stall in the Jersey market, and subjects him to the penalty of the ordinance of 28th March, 1822, by such occupancy.

For the Register of Pennsylvania.

#### LOGANIAN LIBRARY.

At the present time, when efforts are making to establish another Library, it may be acceptable to the public to learn precisely the nature of the foundation of the Loganian Library, the value of which the writer of this believes is as little appreciated as the facilities it affords the student without any expense are unknown.

James Logan, the friend and confidential agent of Penn. was a gentleman of enlarged mind and liberal views. Being a scholar in the true sense of the word, he turned his attention to accumulating valuable books rather than money, and the taste and judgment he displayed in this laudable pursuit will transmit his name with honor to posterity. By corresponding with his learned European contemporaries, and by a very liberal expenditure, he formed a library of his own which even at this day has no rival in America, in its particular departments. Influenced by a praise-worthy desire to extend the benefits of learning among his fellow citizens, he conveyed to trustees by deed in 1745 certain estates therein named, together with his books. The library was then in Sixth st. near George. The building and lot and books were given in the deed for the use of the inhabitants of Philadelphia; and for the support of the said institution, by the same deed he vested in the said trustees certain rents charge therein

described, and reserved to himself the right of altering or cancelling the said deed; and afterwards proposing to settle other rents charge and appoint other trustees for the same purposes, he cancelled the said deed, and partly prepared another which he did not live to complete. By his last will in 1749 he reserved from his residuary estate, and devised two rents charge declaring them to be intended for the use of the said institution. After his death William Logan and James Logan, his sons, and his daughter Hannah, and his son-in-law John Smith, his heirs and executors, induced by the same laudable motives, and desirous of carrying the intention of their father into effect, by deed dated 21st of August, 1754, conveyed to Israel Pemberton, Jr., William Allen, Richard Peters and Benjamin Franklin, in trust, the lot and house before mentioned, together with all the books therein deposited. The uses and trusts of which settlement were briefly as follows—"That there should be a perpetual succession of trustees, part of whom should be of the descendants of the said James Logan the elder, preferring the male line to the female as long as any of his descendants remained; that one of his male descendants, taken in priority of birth, should be the Librarian of the said public Library, with power of employing deputies; that the Library should be open for the public use of the citizens, and that books might be borrowed thereout under certain restrictions. They also conveyed for supporting the expenses of the institution, and for enlarging the collection by the purchase of other books, the said rents charge devised in James Logan's will. These consist of a ground rent of £21 sterling per annum issuing out of a tract of land of 396 acres in Solebury township, Buck's county, at present owned by and in the occupancy of Samuel D. Ingham, Esq., and also another rent charge of £10 sterling per annum issuing out of a tract of two hundred adjoining acres. These ground rents have clauses of increase, and in about thirty years, the time specified for the first increase, these large and valuable tracts are expected to yield a revenue very nearly if not quite equal to the present income of the Library Company of Philadelphia. Beyond thirty years it were useless for us to look, suffice it to say it will go on increasing with the rise of property."

The Loganian Library was now opened for public use, according to the above provisions; but after the death of William Logan, who was the first librarian, the operations of the other trustees, the situation of public affairs, and other causes, suspended the operations of this liberal institution, although the books were found to be in good condition. By the will of William Logan, an addition was made to the collection of near one thousand volumes, making the whole number 3300.

James Logan the younger, now the only surviving trustee of the institution, requested the Legislature, in 1792, that pursuant to an agreement made between him and the Directors of the Library Company of Philadelphia, the said house and lot, two rents charge, and the books and other things in the said message contained, might be vested in the Library Company of Philadelphia, and that power might be given to make such provisions as most effectually to render the institution beneficial to the public, consistently with the design of the founder. This was granted and an act accordingly passed, vesting the whole in the library company, the Directors of which, with James Logan and such two other trustees as he might appoint, to be trustees, to make by-laws, &c. provided the books be always kept separate, to be called "The Loganian Library," and for continuing a succession of three trustees, composed of the descendants of the said James Logan, the elder, or of persons appointed by such descendants. In case of the minority of such descents, or of their not residing within seven miles of Philadelphia, the survivor or survivors shall supply vacancies. The present oldest male descendant is Albanus Logan, Esq., who, with James Smith, Jr. Esq., are the associate trustees. The ap-

pointment of a third, from some cause, has thus far been deferred. By the above arrangement it will be perceived, that the Directors of the Library Company of Philadelphia are always a majority, and the circumstance of the descendants of the founder retaining an interest in its management for any bad purposes is effectually guarded against, though the honor is one with which they may justly be gratified.

It surprises many to be told that there is *no charge* for using this valuable collection, and yet it is literally true. The only requisitions are, that the borrower deposit with the librarian double the value of what he borrows, which deposit is subject to his order on the return of the book, and that he return or renew his book at stated periods.

As the Loganian Library is thus placed on a permanent footing and is free to all, and has moreover already a large income from its accumulated funds, it becomes an interesting question for the reading public, *to whom it in fact belongs*, whether another institution shall be formed of a similar character, or whether the funds shall be concentrated for mutual benefit. In foreign and classic books (as well as in standard English works) and in the best old medical authors, it is particularly rich: all must acknowledge that when these can be had for nothing, it is only necessary to supply such as are wanting.

The additions made to the Loganian Library of late years are extremely valuable. Mr. Mackenzie's bequest, and the very large collection of rare and curious books purchased from his executors on very favorable terms, while it has more than doubled the numbers, has also made it so complete as to furnish most of the stock authors both in the living and dead languages. The number of French books is not precisely ascertained, but a perusal of the catalogue, it is believed, would astonish many who have sought in vain for what was so near at hand, without knowing that there was a catalogue distinct from that of the Library Company.

The above remarks were hastily thrown together at the request of several gentlemen who are convinced that a public benefit will accrue from a more general knowledge of the fact, that there is an extensive library of choice books belonging to the public, from which they can read without incurring any expense whatever. S.

#### LAW OF PARTNERSHIP.

INTERESTING TO RESTAURATEURS.—A case was decided at Philadelphia lately, by which one of a party of four persons, who had spent the evening at a public house, was compelled to pay the whole bill, his companions having neglected to "pony up" their proportions of the expenses. The case is reported in the *Bolletten*. The defendant held, that as he had not drank the whole, nor ate the whole that was ordered, but only a fourth part thereof, he was responsible for payment only in that ratio.

The Judge was of a different opinion. A company assembled at a public house, can be considered by the landlord only as one person; they have joined themselves together, and he has no right to put them asunder. He cannot say to one, as he enters, "you may drink," and to another, "you shall not," nor ask any one whether he has money to pay for his reckoning. One may treat another, for what he knows, or he may treat the whole. It is a partnership for that night, and what right has the landlord to inquire who finds the capital? They are equally accountable to him for the whole debt. It is not enough that one pays his part, he must take care that the whole is paid, that is his concern, not the landlord's.

When the partnership dissolves, whether it be at midday or at midnight, every partner is responsible for the debts contracted in the partnership. If one man breaks a glass, it is nothing to the landlord who broke it; he can charge it to the company, as well as its con-



tents, and they must settle the matter with the individual. One man *with* money might bring a dozen without, who, being strangers, the landlord is deprived of his property and his remedy. He can take any of the company, and he whom he takes may demand his shares from the rest.

The defendant declared that he had never heard so much law and good sense in his life; and that the decision and opinion put together, was worth the money it cost him; he would pay the bill, with costs, and remember it for his future government.—*Poulson*.

#### ANTHRACITE COAL.

The following calculation exhibiting the saving in the use of Anthracite coal in the place of wood, in the manufacturing of hats, is the result of information obtained from several persons engaged in this business at Reading, who have adopted the former fuel, and may be confidently relied upon.

Three pecks of coal are sufficient to keep boiling throughout the day, a hatters kettle, requiring six hands. This is equal to 44 bushels per week. The quantity of wood consumed in the same operation per week, is one cord. This fuel requires one hand to be constantly employed at the fire alone, only three hands being at the same time enabled to work at the kettle, connected with the business. Thus one ton of Anthracite coal would be equal to at least six cords of wood, and at the same time furnish employment for double the number of workmen, as well as save the unprofitable labor of one hand in the manufacturing of hats. The greater uniformity in heat obtained by burning this fuel is said to be another very important advantage in this business, as the coloring is liable to injury from a variation.—*Miner's Journal*

For the information of those immediately interested, we subjoin an account of the shipments of coal from the three ports, which may be termed emphatically the "Poitsville Region." "The Schuylkill coal region," will embrace also the business of "the Little Schuylkill Company," who will deliver their coal at Port Clinton, about 16 miles below this place. Their operations will be vigorously carried on next year, and their shipments regularly reported in this paper.

#### PORT OF POITSVILLE.

Delivered on the Landings from the Mount Carbon Rail Road, and from mines adjoining the navigation, 26,940

#### PORT CARBON.

Delivered on the landings from the Mill Creek and Schuylkill Valley Rail Road, 33,773

#### SCHUYLKILL HAVEN.

Delivered on the landings from the Western Branch Rail Road, 17,292

Tons, 78,005

About 200 tons of refuse coal were also shipped from the above places, for which toll was paid. This would make the shipments from this region about 80,000 tons.—*lb.*

Bituminous coal is used in stoves in our borough, and is preferred to anthracite. The mine now open is distant about twelve miles from this place, and coal is brought to town and sold for about \$5 per ton, which is found to be cheaper than wood.—*Towanda Settler*.

PORT CARBON, 12th Dec. 1831.

Dear Sir—

In compliance with your request I furnish here, with an extract from my diary of the weather from the 25th ultimo. The temperature is noted about 8 A. M. from a Thermometer shielded by a frame building from the wind and immediate action of the external air—and does not indicate by several degrees, as low a temperature as it would if exposed to the open air.

	1831.	Thermometer.
Nov. 16	Hard frost—overcast,	30
27	Do. do.	32
28	Snow two inches,	32
29	Can't boats frozen in ice about one inch thick,	26
30	Clear, ice about two inches thick in the canal,	24
Dec. 1	About three inches additional snow, some sleighs out,	28
2	Overcast,	28
3	Do.	28
4	Snow about four inches, fine Sleighing,	26
5	Clear (exposed in open air Thermometer fell eight degrees,)	16
6	Do.	16
7	Do.	18
8	Do. (in open air fell five degrees)	14
9	Clear,	24
10	Do. (in open air fell nine degrees)	13
11	Do.	13
12	Do.	18
13	Overcast,	10

Very Respectfully, WM. LAWTON.  
MR. BENJ. BANNAN.

PORT CARBON, Dec. 16th 1831.

My Dear Sir—

The severity of the cold and great change, since my note of the 13th, has induced me to offer a few additional remarks. Yesterday the Thermometer was at 20—judge my surprise at finding it this morning as low as 6—the quiet of the air and solemn cast of the heavens induced me to suppose there would be little variation, when placed in the external air—but in less than ten minutes it fell to 2 degrees below Zero. On the 10th instant I filled my ice house from the channel of Mill Creek, with fine pieces a foot thick.—In haste.

Yours truly, WM. LAWTON.  
MR. BENJ. BANNAN. *Miner's Journal*.

## THE REGISTER.

DECEMBER 24, 1831.

We are indebted to our Senator, Mr. Hassinger, for the Auditor General's Report, which occupies a considerable portion of the present number—and have also received through the attention of the same gentleman and our representative, Mr. Kirk, the Canal Commissioners' Report, too late for publication this week. It is a voluminous document, and will occupy most of our next number. At this season, many long reports and other state papers press upon us, which, as they do not in general find a place in other publications, we consider as adding much to the value and importance of the Register,—although they may for a time abridge the space which would otherwise be occupied with a greater variety of matter.

The severity of the weather and the obstruction of our rivers by ice still continue. There have been many serious disasters upon our coast and in our bay. Several vessels destined to this port, have arrived at New York, after having been within our Capes.

Roberts Vaux, Esq. has, agreeably to a notice formerly given, resigned the office of President of the Board of Control of Public Schools for this district, which he so faithfully and zealously occupied for fourteen years. The correspondence which took place on the occasion between Mr. V. and the Board, must be reserved for a future number.

# HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

**VOL. VIII.—NO. 27. PHILADELPHIA, DEC. 31, 1831. NO. 209**

## REPORT OF THE CANAL COMMISSIONERS.

(Canal Commissioner's Room, Dec. 15, 1831.)

HIS EXCELLENCY GEORGE WOLF,  
Governor of Pennsylvania.

SIR—By order of the Board of Canal Commissioners, I have the honor of transmitting to you your annual report, and accompanying documents.

JAMES CLARKE, President.

*The Canal Commissioners respectfully submit the following Report:*

Since the annual report of the canal commissioners, made on the 21st of December, 1830, the members of the board have suffered severely from sickness, and have to record the death of their late talented president, by disease contracted in the discharge of his official duties. A devoted attention to the important interests which were confided to his care, a sincere desire to economize the funds of the commonwealth, and an inflexible determination to exact from her agents, made subject to his control, a fulfilment of their obligations, were conspicuous traits in his public character, which entitle his memory to be cherished with grateful respect by the citizens of his native state.

In obedience to the injunctions of the law passed on the 21st of March, 1831, entitled "An act to continue the improvement of the state by canals and rail roads," the canal commissioners have put under contract 266 miles, and 311½ perches of rail road, canal, slackwater and towing path; of which 3 miles and 251½ perches are feeders, that were found to be necessary, as will appear from table marked No. 1. The several lettings were fixed at the earliest period it was practicable for the engineers to have their lines prepared, and for the board to attend them successively. Inasmuch as the law required the twenty miles of the Columbia and Philadelphia rail road west of Philadelphia, to be finished and made useful for transportation with the least possible delay, the board had it first placed under contract.

There are 32½ miles of single track, and 49 miles and 11 perches of double track of the Columbia and Philadelphia rail road, and 36 miles and 221 perches of double track of the Allegheny pottage road, for which contracts have not yet been entered into for laying the rails, but with this exception, table marked No. 1. contains the whole work authorized to be put under contract by the act of the 21st of March last.

In addition to those lettings, the superintendents upon the several lines have re-let, at various times, 75 sections of canal and towing path, 5 sections of rail road formation, 29 miles of laying rails, 4 viaducts, 3 aqueducts, 13 dams, 13 locks, 13 culverts, 66 bridges, and a great variety of smaller jobs, have had to be re-let, and re-re-let during the season, all of which were examined and revised by the canal commissioners. 1022 contracts have been revised and approved since the 11th of May last.

A form of contract for canal sections accompanying this report, and marked A, contains the general stipulations and provisions in all the canal and rail road contracts.\* The following article has been inserted in all

the contracts, except those for laying the rails on the Columbia and Philadelphia rail road: "It is further agreed between the parties, that when the superintendent on this division shall give notice in writing or by public advertisement, that the sum of money appropriated towards the expenses of this division for the present year, shall have been expended, that any subsequent labor performed under this contract shall not be considered as incurring a debt against the state, contrary to the true intent and meaning of the 7th section of the act of the 21st March last." This was deemed indispensable, in order to comply with the obligations the board were under to carry the other provisions of the law into effect, which required them to place the work on the several lines therein named under contract, and appropriated a specific sum for each towards the expenses thereof for the present year.

By the table marked no 2, it appears that the aggregate of the present estimates for completing the whole work required by the act of the 21st of March, 1831, amounts to

5,412,242 66½

From which deduct the amount of work done and paid at the last monthly estimates,

499,133 25½

4,913,109 41½

Of this quantity of work there has been done but not yet paid,

80,528 97

Whole amount of work yet to be done,

4,832,580 44½

The whole amount received by the treasurer of the board since the last Report, for canal purposes, and up to the 1st of December, is

2,087,922 16

To which sum add the balances refunded,

4,780 21

\$2,092,702 37

Of which sum of \$2,092,702 37, the sum of \$255,933 54, was received prior to the passage of the act of the 21st of March, and of which there was advanced before that day.

On account of old work and damages,

214,704 44

On account of repairs,

36,249 32

To the Canal Commissioners,

3,500 00

The balance was received

since the 21st of March

last, and advanced as follows:

On account of old work,

700,485 58

do. new work,

610,879 73

do. repairs,

291,870 32

do. damages,

22,729 00

To the Canal Commissioners

and appraisers,

4,615 00

Due Abner Lacock,

141 92

Balance in the hands of the

treasurer on the 1st De-

cember, 1831,

207,527 07

2,092,702 38

\* See next vol.

Of the sums advanced as above stated, the sum of \$249,449 83, was in the hands of the several superintendents and supervisors on the 1st of December, the greater portion of which sum has been expended, and the accounts are in a train for settlement.

The sum advanced to superintendents on account of new work,	610,879 73
From which deduct amount paid, as above stated,	499,133 25½

Balance in the hands of the superintendents,	\$111,746 47¾
--	---------------

Amount in the hands of the treasurer, as above stated,	207,527 07
--	------------

Balance of the loan authorised by the act of the 21st of March last,	789,897 16
--	------------

Balance of the appropriation of the last year,	1,109,170 70¾
--	---------------

Amount yet to be paid upon the work authorised by the act of the 21st of March last, as above stated,	4,913,109 41¾
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Deduct the above balance of last years appropriation,	1,109,170 70¾
---	---------------

\$3,803,938 70¾

Which sum of \$3,803,938 70¾ is the estimated sum yet required to finish the whole work authorised by the act of the 21st of March last.

It may be proper here to remark, that the cost of the work yet to be done has been estimated at the contract prices, with a liberal percentage added to cover contingencies; and although estimates have heretofore proved little else than their own fallacy, yet the board believe the above is ample and may be relied upon.

Having presented the general operations of the board, under the act of the 21st March, 1831, they will now proceed to detail the progress made in the work and its character, on each of the lines separately.

#### COLUMBIA AND PHILADELPHIA RAIL-ROAD.

As stated above, 39 miles and 248 perches of road bed formation, and the laying a single track of rails on 20 miles of the road next to Philadelphia, were placed under contract on the 11th of May last. In 39 miles, 248 perches of road bed formation, is included the distance between the western shore of the river Schuylkill and the intersection of Vine and Broad streets; and previous to the allotment of the work, the mayor, aldermen, and citizens of Philadelphia, by their proper authorities, engaged to construct and continue a rail-road, from the intersection of Vine and Broad streets, down Broad street to Cedar street, agreeably to the provisions of the first section of the act of the 21st of March last. On the 18th of May, one mile and 110 perches of road bed formation, and the laying of a single track of rails on 12½ miles next to Columbia, were put under contract.

The amount of work done is \$230,977,12½ of which there has been paid \$201,558 26; leaving retained percentage \$29,418 86½.

The quantity of work done falls short of the wishes of the board; not from any want of zeal or diligence in the officers or a majority of the contractors on the line, but owing to an uncommon wet season, a scarcity of laborers and consequent rise of wages, under estimates by contractors at the lettings, and to the difficulty of part of the work, and, as a necessary result, to an abandonment of a great many contracts. The board have especially to notice the effect of these causes of delay, upon the viaduct over the river Schuylkill, at Peters' Island. This structure is calculated to be a road bridge for travel, as well as for passing the rail road cars; it will be 980 feet long. It was let to William and Charles Le Baron and Gabriel Heister, on the 14th day of May. These men were the lowest bidders, and no doubt was

entertained by the board of the sufficiency of either their skill or capital for the undertaking; but on the 8th of June the board were advised that they had declined signing the contract. It was immediately advertised for re-letting. To the time required by law for advertising, to give an opportunity for suitable bidders to get notice, and to the absence of the board, attending to duties required of them in other and distant places, and to the sickness of the late president of the board, to whom the proposals were transmitted by the superintendent, is to be attributed the apparent delay which took place in re-letting this important work. It was not, therefore, until the 3d day of August, that it was re-let to Lathrop, Ives and Brown, who were the lowest bidders, and some of whom the board knew to possess the requisite skill and capital. But here, again, the board and the public were disappointed in their expectations, for the latter contractors also relinquished the job. The viaduct was again let on the 1st of September, to Dodd, Bishop and Brittain, bidders at the re-letting who have entered into a contract, and have since been prosecuting the work as vigorously as the advanced season and other circumstances would permit. It is thought that it may be completed for public use by the first day of December next.

The board have in like manner been frustrated in their calculations, by some of the contractors for laying rails, abandoning their contracts. The difficulty of procuring stone blocks of a suitable quality, has proved to be much more serious than was at first anticipated, and the consequence has been a retarding of the work, and an increase of its cost over former estimates. The present estimate of the cost of the whole work, when completed, is \$2,297,120 21, being equal to \$28,173 63 per mile.

The work is constructing upon the principles of the latest improvements in rail roads, and in the most substantial manner; and although the cost of it may appear to be large, yet, when the quality of the work, and the sum required to construct similar works elsewhere, are duly considered, it is perhaps as reasonable as ought to have been expected. The graduation and masonry alone, of the first twelve miles of the Baltimore and Ohio rail road, cost \$46,354 56-100 per mile; and that whole road, now under contract, (being 71 miles upon the main stem of the road with double tracks, and a branch of 3½ miles to Frederick with a single track, one third of the whole road to be laid with stone rails, and the remaining two-thirds with wood,) is estimated to cost \$1,906,853, or \$27,228 per mile. The company, in their late report, state "that it required 6½ months to lay down 6 miles of stone track, and that the cost of laying with stone has been underrated in every instance." The celebrated Liverpool and Manchester rail road in England, which has been the principal cause of creating an excitement in public opinion favorable to that species of improvement, cost the enormous sum of \$117,000 per mile.

While the board avow themselves favorable to rail roads where it is impracticable to construct canals, or under some peculiar circumstances, yet they cannot forbear expressing their opinion, that the advocates of rail roads generally, have greatly over-rated their comparative value. To counteract the wild speculations of visionary men, and to allay the honest fears and prejudices of many of our citizens, who have been induced to believe that rail roads are better than canals, and consequently that, for the last six years, the efforts of our state to achieve a mighty improvement, have been misdirected, the canal commissioners deem it to be their duty to advert to a few facts which will exhibit the comparative value of the two modes of improvement for the purpose of carrying heavy articles cheaply to market, in a distinct point of view.

Flour is now carried by the canals to Philadelphia from Lewistown, 211 miles for 62½ cents, and from Harrisburg, 150 miles for 40 cents a barrel; and gyp-



sum is taken back for three dollars a ton to Harrisburg, and five dollars a ton to Lewistown, therefore the freight (exclusive of tolls) is downwards 14½ mills per ton per mile, and returning, 7 mills per ton per mile; or on an average both ways one cent and three-fourths of a mill per ton per mile for carriage.

On 9 miles of rail road at Mauch Chunk, and on ten miles of rail road between Tuscarora and Port Carbon, the carriage of coal costs 4 cents, and the toll on the latter road is a cent and a half per ton per mile.

The comparison will then stand thus:

On ten miles of rail road between Tuscarora and Port Carbon:

Freight per ton,	40 cents.
Toll on coal per ton,	15
	— 55 cents.

On ten miles of the Pennsylvania canal:

Freight per ton,	10½
Toll on coal at half a cent per ton per mile,	5
	— 15½
	39½

Being 39½ cents difference in favor of the state canal on each ton for every ten miles of transportation.

The following table will exhibit the relative useful effects of horse power when employed on common roads, on turnpike roads, on rail roads, and on canals.

	Weight of Freight transported	Number of miles per day.
	TONS.	MILES.
Four horses will draw, in addition to the weight of the carriage or boats containing the load—on a common road, in a wagon,	1	12
On a turnpike road not exceeding five degrees of inclination in a wagon,	1½	18
On a rail road having a rise and fall of 30 feet, (or one-third of a degree,) to the mile, in eight cars,	16	27
On the Pennsylvania canal, in two boats,	100	24

The introduction of locomotive engines and Winans cars upon rail roads, where they can be used to advantage, will diminish the difference between canals and rail roads in the expense of transportation. But the board believe that, notwithstanding all the improvements which have been made in rail roads and locomotives, it will be found that canals are from two to two and a half times better than rail roads for the purposes required of them by Pennsylvania.

The board have been thus explicit, with a view to vindicate the sound policy of the commonwealth in the construction of her canals; yet they again repeat that their remarks flow from no hostility to rail roads, for next to canals, they are the best means that have been devised to cheapen transportation. They are valuable in many situations, and particularly along courses of great thoroughfare, which will bear the expenses of their construction. They can be made to carry the United States mails and passengers, and also light valuable goods, where time is of more importance than cost of transportation.

It is expected that of the Columbia and Philadelphia rail road, 17 miles of single tract, from the Schuylkill westward, and 12½ miles from Columbia eastward, will be laid by the first day of May next, and may be extended for the whole line, by the 4th day of December next, and that the entire work can be completed in two years.

#### THE COLUMBIA LINE OF THE EASTERN DIVISION.

The 8 miles 227 perches of canal necessary to complete this line, were placed under contract on the 18th

of May last; but owing to the causes already mentioned, and a great degree of sickness which prevailed during the months of August and September, the work done upon it on the 15th November, 1831, amounted only to \$41,992 03, of which 35,575 94 has been paid, and 6,110 69 is retained. The prominent works upon this part of the line are, an aqueduct over the Swatara 300 feet long and 18 feet wide, with a road bridge attached to it—two out-let locks of ten feet lift each, and 100 by 17½ feet in the chambers, to connect the basin at Columbia with the river Susquehanna—and two lift locks overcoming a fall of 16 feet.

The entire work authorized to be put under contract on this line under the act of the 21st of March last, when completed, is now estimated to cost \$133,804 52; (the out-let locks were not included in the estimate of last year,) and the estimate of the cost of finishing the work upon the 10 miles of this line, placed under contract before the 21st of March last, is \$23,718 02.

It is expected that the work upon this line will be so far completed, as that the water may be admitted in winter next.

#### FRANKSTOWN LINE OF THE JUNIATA DIVISION.

This line is 38 miles and 102 perches in length, of which 22 miles and 156 perches will be canal, and 15 miles 266 perches slackwater, made by 14 dams in the river. It extends from a point one-third of a mile above Huntingdon to Hollidaysburg, where a basin 1650 feet long and 120 feet wide, has been located, and at which place a connexion is established with the Allegheny portage road. Two feeders will supply the first level—a dam will be built in the Beaver dam branch at Hollidaysburg, and the pool of the dam, which is crossed by the rail road, will also answer for a basin—it will be 850 feet in length and 100 feet wide. The two basins are connected by a short feeder canal 36 perches long, being of the same dimensions as the canal; another feeder is taken from the south fork of the Juniata—it is 3 miles and 48 perches long, and 10 feet wide at the bottom. On this line there are 14 dams, varying from 5 to 27½ feet in height—6 aqueducts; 6 towing path bridges, crossing the river; 8 guard, and 43 lift locks, overcoming a rise of 330½ feet.

The work upon the Frankstown line was placed under contract on the 1st of June, and on the 29th July last. The causes which have retarded the progress of the work upon all the lines, operated with peculiar force on the Juniata, compelling many of the contractors to relinquish their jobs, and thus producing a delay of the work by the necessity of advertising it for re-letting, and procuring the sanction of the canal commissioners to new contracts.

The work upon this line, when completed, is at present estimated to cost \$698,181 56. The amount of work done, on the 25th day of November, was \$84,440 15; of which there has been paid \$72,255 48, and \$12,184 67 is retained. It is believed that if the ensuing season is favorable, this line will be ready for navigation throughout, by the 1st day of October next.

#### ALLEGHENY PORTAGE RAIL ROAD,

The length of rail road, from the east end of the lower basin at Hollidaysburg, to the west end of the basin at Johnstown, is 36 miles and 221 perches, but between the head of the basin at Johnstown, and the upper basin at Hollidaysburg, the distance is only 35 miles and 310 perches. The summit of the mountain, where the rail road crosses it, is 1398 71.100 feet above the eastern, and 1171 58.100 feet above the western basin. Connexions will be formed between the rail road and canal, by piers and slips, at both ends of each basin. These piers and slips have been set apart for the use of the commonwealth, and will occupy the whole ground, (about 100 feet wide) between the basins and the rail road, for 150 feet in length at the west end, and 200 feet at the east end of each basin.

A space one hundred and twenty feet wide, has been staked out and appropriated to the use of the commonwealth, the entire length of the rail road. The reasons which governed the board in occupying so much ground, are these: It was necessary to clear off the tall heavy timber of the mountain, for at least 60 feet on each side of the centre of the road, and hereafter the incalculable trade of the Mississippi basin and the lakes, will require an additional number of tracks over the mountain; hence, prudence seemed to dictate the propriety of appropriating to the use of the state, as much ground as may hereafter be required, while it is, as at present, of very little value.

The bed of the road is graded 25 feet wide, for a double set of tracks. There will be five inclined planes on each side of the mountain, intended for stationary engines, as soon as the quantity of trade passing over the road shall require so much power. Horse power, however, can be used in the commencement, as the inclination of none of the planes is greater than many portions of our turnpike roads, the greatest angle of inclination with the horizon being only 5 degrees, 51 minutes and 9 seconds. But inasmuch as the trade from the west will greatly overbalance that from the east, and the bituminous coal at and near the summit of the mountain can be used to equalize the necessary preponderance, it is believed that, on the east side of the mountain, the rise of the planes may be overcome on the self acting principle; thus making gravity the motive power, and thereby dispensing with the use of either horses or steam, on the five eastern planes.

The most important works upon the Allegheny portage, are a tunnel about 19 miles west of the crest of the mountain; it is 900 feet long, and 16 feet wide; a viaduct of stone with a single arch of 80 feet span over the Little Conemaugh; and also one of wood, of two spans of 33 feet each over the Beaver dam branch of the Juniata.

The rail road when completed with a double set of tracks of stone and iron with the necessary machinery, the whole executed in the best manner, is at present estimated to cost \$1,271,718 18. The amount of work done on the 1st day of November was \$75,195 96, of which \$63,984 84 has been paid, and \$11,211 12 is retained. The board are of opinion that one set of tracks can be laid along the whole line for public use, by the 1st day of May, 1833, and that the entire work can be completed by the 1st day of December, 1833.

#### THE BEAVER DIVISION

Commences on the Ohio river at the mouth of Big Beaver, and extends up the Beaver and Shenango creeks 24½ miles to the town of Newcastle. Of this division there are 8 miles 16 perches of canal, and 16 miles and 224 perches of slackwater and towing path. The contracts on it were let on the 20th of July, and 19th of October last. There are on it 7 dams varying from 7 to 14 feet in height, 2 aqueducts, and 17 guard and lift locks overcoming a rise of 132 feet. The two outlet locks will each be 25 feet wide, and 120 feet long within the chambers. They are calculated to admit the smaller class of steam boats that ply on the Ohio, into the pool of the first dam. This was found to be necessary for the trad of the town of Beaver, as well as for several flourishing villages, situated on the banks and near the mouth of the creek, and also to accommodate a number of extensive manufactories, the machinery of which is propelled by water taken from the falls of that stream.

The Beaver division, when finished, is at present estimated to cost \$335,317 82. The amount of work done on the 15 day of November, was \$42,708 96½, of which \$36,360 71½ has been paid, and \$6,348 25½ is retained. The whole line is expected to be completed for public use by the 1st day of December next.

#### FRANKLIN LINE.

Of the French creek division commences on the Al-

legheny river, at the mouth of French creek, and extends up the latter stream 22 miles and 88 perches, to its intersection with the feeder. On this line there are 5 miles and 52 perches of canal, and 17 miles and 36 perches of slackwater and towing path. The principal works are 11 dams, varying from 7 to 16 feet in height, and 3 guard and 16 lift locks, which overcome a rise of 120½ feet. The work was put under contract on the 11th of July, and 7th of October last.

The whole cost of the line, when completed, is at present estimated at \$270,681 32. The amount of work done on the 16th day of November, was \$17,838 68½, of which \$15,166 36 has been paid, and \$2,702 08½ is retained.

This line may be completed and ready for public use by the 15th of November next.

The board would here respectfully call the attention of the legislature to the situation of the French creek feeder—it has been finished a distance of 19½ miles ready for use, but at neither end is it connected with water or any public place of business, and in its present condition is entirely useless. An extension of it at the north end, of about 160 perches, would connect it with French creek, and fill it with water and render it useful. It has been estimated by the engineer now upon that division, that \$15,000 would be required to form the necessary connexion. This extension of the feeder is indispensable for opening a communication between Meadville and the Allegheny river. The board also recommended its extension at the western end, three miles, to connect it with Conneaut lake, thereby adding 18 miles between French creek and the head of the lake, to the useful navigation of that division. The cost of this latter extension is estimated at \$26,000.

#### LYCOMING LINE,

Of the West Branch division commences at the head of the pool of the Muncy dam, and from thence extends up the West Branch of the Susquehanna river, 14 miles and 68 perches to the Big island opposite to the mouth of Bald Eagle. On this line there are 31 miles and 12 perches of canal; 10 miles and 56 perches of slack water and towing path; 7 dams varying from 4 to 10 feet in height; 4 aqueducts, and 12 guard and lift locks, which overcome a rise of 80 feet. The work was put under contract on the 1st of July and 24th of August last. The whole cost of the line when completed, is at present estimated at \$500,587 54. The amount of work done on the 25th day of November was \$59,117 39, of which \$0,746 88, has been paid, and \$8,370 51 is retained. This line may be finished by the 1st day of December next.

Although the West Branch division will be valuable to portions of the counties of Northumberland, Union, Centre, Clearfield, McKean, Potter, Tingo and Lycoming, to convey away the products of the farm and the forest, and in return carry back the necessary supplies of merchandize, &c. from the sea board; yet, we apprehend that it will be to the iron and bituminous coal of that region, that the commonwealth must look for tonnage sufficient to compensate her for the investment she has made in this branch of the canal. Therefore to attain this great object and enable the West Branch division to sustain itself, it will be necessary to extend the improvement further up the river to the neighborhood of the coal beds; and also by a cross cut to open a communication with the Bald Eagle, so as to give the iron and produce of Centre county, ready access to the canal.

The engineer upon the upper portion of the Lycoming line has estimated that \$18,172 00 will be sufficient to construct a cross cut 3 miles and 132 perches, between the pool of the dam at the Great island and Bald Eagle creek; with a dam 4 feet high, and a guard lock on the creek; and also an out-let lock of 9 feet lift to communicate with the river. He has likewise estimated that one other dam in the river, and a guard

lock with 4 feet lift to it, and 5 miles and 45 chains of towing path, with other necessary works, will cost \$36,547, which extension would carry the improvement to the threshold of the coal region. But, to render the improvement entirely useful by an approximation to numerous coal beds on both sides of the river, a further sum of \$62,893 would be required, to build three other dams, and as many guard locks, each having 4 feet lift; and also 3 miles and 156 perches of towing path; thus estimating the whole proposed improvement of 9 miles and 51 perches to cost \$99,440 00.

#### LEWISBURG CROSS CUT.

This small prong of the great system extends two hundred perches from the main stem of the West Branch division, to Lewisburg, in Union county. There will be on it one dam 2½ feet high, across the river, and 2 locks, overcoming a lockage of 21 feet. A contract was made on the 17th day of August last, for the completion of the whole work connected with the cross cut, for the sum of \$22,000, being \$3000 less than the sum appropriated to that object by the act of the 21st of March, 1831. The estimate of work done on the 25th of November, was \$1250, of which the sum of \$1060 has been paid, and \$190 is retained.

The whole work may be completed for public use by the first day of September next.

The WYOMING LINE of the North Branch division, commences at the Nanticoke dam, and extends up the North Branch 16 miles and 316 perches, to a point near the mouth of the Lackawannock creek, where it is supplied with water by a feeder from the creek, 203½ perches in length. There are 13 miles and 11 perches of canal, and 3 miles and 305 perches of slackwater and towing path. The most important mechanical work upon this line, is one aqueduct and 5 lift-locks. The whole lockage is 43 feet. The work upon this line was put under contract on the 18th of June last, and, when completed, is estimated to cost \$220,594 56. The amount of work estimated to have been done on the 25th November, was \$26,447 32, of which the sum of \$22,454 54 has been paid, and \$3,992 77½ is retained. It is expected that this line may be completed by the 1st day of August, 1832.

Previous to fixing the location of the Wyoming line, the board caused careful surveys to be made in and on both sides of the North Branch, which resulted in establishing an independent canal on the east or Wilkesbarre side of the river. In consequence of this location, the citizens of Kingston, with a rich valley, several flouring mills and valuable coal beds, are deprived of the full benefit of the improvement. It has been suggested that a short side cut, and an out-let lock into the river at Forty Fort, would be a great advantage to those interests. Believing, as the board do, that the additional tonnage would amply justify the expense of the proposed side cut, they therefore do not hesitate to recommend to the legislature its adoption.

The whole amount of work, authorized by the act of the 21st of March, 1831, which has been put under contract is estimated to cost \$3,603,983 26½. The aggregate of the estimates of work done, made principally on the 1st, 15th, and 25th of November, is \$579,662 22½ of which \$499,133 25½ has been paid, and \$80,528 97 is retained from the contractors, as security for the faithful performance of their engagements.

That more work has not been performed during the past season, is attributable to the time required to organize efficient corps of engineers, and for them to make the necessary plans and locations previous to the lettings; to a scarcity of laborers, caused by the general prosperity of the country, and the great amount of work in market in Pennsylvania, and throughout the United States; to an uncommonly wet, and (on many of the lines east of the mountains) sickly season, and to numerous abandonments of contracts.

Although the quantity of work done falls short of the

previous expectations of the board, yet they have the satisfaction to state, and they do it with great confidence, that *what has been done is well done*. The qualifications of the engineers now in the service of the state, and the style of the work that is being done under their plans and directions are greatly superior to either the one or the other at the commencement of the canal and rail road system of Pennsylvania. The contracts are full and explicit, and the board believe that on all the lines they are literally interpreted and their conditions rigidly enforced. Nothing has been left to discretion or construction that was susceptible of specification, and all sub-contracting by canal and rail road speculations is banished from the public works.

The work authorized by the act of the 21st of March last, which has been placed under contract, is estimated at \$3,603,983 26; and the work yet to be put under contract is computed to cost \$1,808,259 40. The present condition and progress of the work induces the board to believe, that the balance of the appropriation now available will be exhausted on some of the lines by the middle of next January, and on all of them within the month of April next.

In addition to the unexpended balance of the appropriation made by the act of the 21st of March, 1831, it is estimated, that during the ensuing year there will be required about \$70,000 for paying off contracts on the old lines, and \$1,995,679 30 for the lines of canal and rail road which have been placed under contract the past season, being the estimated balance required for the completion of the work now under contract; and also \$800,000 for the contracts yet to be entered into—making an aggregate sum of \$2,865,679 30 that will be wanted for the expenditures of the next year.

#### OLD LINES OF CANAL.

The DELAWARE DIVISION from Bristol to Easton is 59½ miles. At the last annual report of the Canal Commissioners, December 21, 1830, in speaking of this division they say that, "the filling of the canal for navigation in its whole course, commenced in October, 1830," and that, "twenty-five miles are navigable," but they add that "a part of the work first constructed has proved defective and requires extensive repairs." This last observation has been verified by the fact that since that time, the two Supervisors on the Delaware division have expended \$97,339 51 on repairs, and introducing feeders, and the whole line is not yet ready for navigation. The original plan and construction of large portions of this division have proved to be exceedingly defective, and, although every exertion has been made throughout the year, by the officers on the line, to fill the whole canal with water, yet their efforts have heretofore proved unsuccessful.

The twenty-five miles of canal between New Hope and Bristol, was open for navigation on the 20th of last March; and has continued in good order, throughout the season, with but two or three weeks interruption, caused by the falling of the water in the river from which it was supplied; but for the want of a connexion with the upper portion of the canal, this part of it has been almost useless. The water from the head of the canal at Easton, has within a short period reached New Hope, and confident expectations are entertained that the whole line will yet be filled, ready for an active navigation next season.

The porous nature of the soil along the Delaware, has demonstrated the fallacy of the original design, of feeding the entire 60 miles of canal from the Lehigh. Hence it has been found necessary to introduce other feeders: One for conveying into the canal, the waters of Durham creek, about ten miles below Easton; it is 1890 feet long, and 12 feet wide at the bottom; and another near Lumberville, by which the water of Milton creek is conveyed into the canal, it is 1509 feet long. Temporary feeders have also been constructed on sections 54 and 61, which will not be required when the repairs of the canal are completed.



The want of a sufficient supply of water at the lowest stage of the river, had become so apparent to the board, that at their session in Philadelphia, on the 6th of May last, they passed the following resolution:

"Resolved, That the supervisor having charge of the lower portion of the Delaware division be required, under the direction of the principal assistant engineer, to construct a wing dam at Wells' falls, on the Delaware river, in such manner as not to obstruct the navigation of the river, and erect a water wheel with such other fixtures as may be necessary to supply the canal with water from the combined locks, near New Hope to Bristol."

In passing the foregoing resolution, the board expressly disavow any intention on their part, of impeding the natural navigation of the river; or of infringing the compact between the states of New Jersey and Pennsylvania. But inasmuch as the former state had by law, granted power to the Delaware and Raritan canal company to take water from the river Delaware, by a navigable feeder, to supply the summit level of their great canal; and had also authorised another company to construct, and fill with water from the river, a wide canal, six miles long, for propelling machinery at Trenton, the board conceived that the state of New Jersey had, thereby, given such a construction to the compact, as would justify Pennsylvania in erecting a water wheel to supply a portion of her canal. That work is now in such progress as to ensure an ample supply of water hereafter, between New Hope and Bristol.

While it has become the duty of the board, in justice to the public, as well as to themselves, to expose the defects in the construction of the Delaware division; and also the errors that have been committed on other lines: They likewise, feel it to be incumbent on them, to declare their belief that the source of the evil, is not to be sought in any want of zeal, or faithfulness on the part of their predecessors in office, but in the law passed the 16th of April, 1827, which limited the pay of engineers.

Engineers, like all other men who seek employment, will generally be found where their talents are best appreciated, and hence it should not have been expected, that those who were in the receipt of from three to five thousand dollars a year, would enlist in the service of Pennsylvania at the limited salary she offered.

The former board of canal commissioners, in their report of the 25th of Dec. 1827, complain of the effect of that law by stating, that they were "suddenly deprived of the most valuable assistance," and "could not but entertain a painful sense of the responsibility of their situation, and of the consequences that might arise from any error on their part." And they also add, that "it is believed that the organization of the engineer department, upon a regular and well digested system, is necessary to ensure economy of expenditure and excellence of construction. This object," say they, "has not yet been accomplished, nor is it believed to be practicable, while the provisions of the act of the 16th of April, 1827, continue in force."

The present board do not wish to be understood, as finding fault with the law as it now stands; for the increase of engineers in the United States has enabled them to surmount the difficulties complained of by their predecessors: But the effect of that misjudged economy have been seriously felt by this board in the difficulty of putting the canal in navigable order—by the public, in being subjected to vexatious delays, and by the commonwealth in the cost of construction and of repairs, and the loss of interest on the money expended.

The NORTH BRANCH DIVISION, from Nanticoke dam to Northumberland, is 55½ miles. Although this division was reported as finished last fall; yet it was not until the 27th of September that the supervisors of the line succeeded in passing boats the whole distance over it. Since then the navigation has been uninterrupted, and boats have arrived at Wilkesbarre, direct

from Philadelphia, a distance of 216 miles. The chute in the Nanticoke dam has been altered, and constructed in such a manner as, it is believed, will afford entire safety to the descending trade of the river, \$55,752 56½ have been expended in repairs, &c. since the 1st of December, 1830.

MUNCY LINE OF THE WEST BRANCH DIVISION, from the head of the pool of Muncy dam to Northumberland is 24½ miles. This division was reported navigable in November, 1830; but the unusual floods of the past season, undermined the Muncy dam, and it had to be rebuilt; which has been effected in water that was from 15 to 23 feet deep, (being the excavation made by the over-fall of the dam) and under great embarrassments, from a succession of freshets in the river. It is now being completed, and is so well executed as to give entire confidence in its future permanency. Hence there has, as yet, been but little navigation on this line.

The bridge over the West Branch of the Susquehanna, at the town of Northumberland, was finished about the 21st of May, 1831, from which time to the 24th of November, the amount of tolls received on it has been \$740 50.

The expenditures on the line, since the 10th of December, 1830, for repairs, &c. (including the amount paid on the new dam) have been \$20,095 96½.

The SUSQUEHANNA DIVISION, from Northumberland to the south end of Duncan's Island, is 39 miles. The navigation upon this division was closed by ice on the 10th of January, 1831, and re-opened on the 25th of March last. The trade upon it has suffered very little interruption during the past season, except for a short period, owing to a want of water, caused by a failure of the Shamokin dam.

The board avail themselves of the present occasion, to record their decided disapprobation of having high dams in the Susquehanna river. Had low dams been originally adopted, it would have avoided the immense expense, risk, loss and vexation, which have been consequent upon these great and unstable structures. The Shamokin dam is 9½ feet high above the bottom of the river, and 2783 feet long; and the chute in it is 62 feet wide, and, as now extended, is 650 feet long. This "hopeful structure" has been twice built, and as often unfaithfully executed! A want of skill or vigilance in the officers superintending the construction, and of integrity in the contractors, is too manifest to be palliated.

On the 21st December, 1830, the dam and chute had cost \$64,217 27; and the repairs that have been done and are being done upon it this season, will add about \$18,000 to the cost.

A large amount of property was lost and injured in descending the chute last spring, and the ice removed about 180 feet of the dam, and materially damaged other portions of it. It has been undergoing a course of alterations, and repairs: but the first contractors for repairing the dam abandoned the job, and the work had to be re-let, which, with the continued high water of the river, has delayed its completion. The chute is finished, and, is believed, will hereafter render the passage of the descending trade of the river perfectly safe and easy. The repairs of the dam are nearly completed, but truth requires the board to state their opinion that its permanency is still insecure.

The amount expended since the 10th of December, 1830, on this division from Northumberland to the first lock below Berry's Falls, for repairs, &c. (including the Shamokin dam and chute,) has been \$17,564 86.

THE HARRISBURG LINE OF THE EASTERN DIVISION, from Duncan's Island to Swatara is 24 miles. The navigation of this line was not suspended by ice until the 10th of January, 1831, and the canal opened again on the 22d of March; since which time it has continued in good order the whole season. This short line has given an earnest of what may be expected from all the others, when they shall have been effectually repaired.

The bridge over the river Susquehanna at Duncan's

Island is built on the Lattice principle. The final estimate of the cost amounted to \$74,853 30, of which \$72,854 85 have been paid, the balance amounting to \$2,000 45, is retained, as the work is proved to have been very unfaithfully executed. The board passed a resolution on the 28th of December, 1830, directing it to be repaired, and a contract was soon afterwards executed; but about the 24th of August, the contractors relinquished the job, having done very little towards the fulfilment of their engagement. The bridge is now being repaired by the supervisor upon the line, in such a manner as will, it is believed, remedy many of its original defects, and render it safe and durable.

The repairs on this line, including ten miles of the Susquehanna division, since the 10th day of December, 1830, amount to \$9,324 12½.

The JUNIATA DIVISION, from Duncan's Island to Huntingdon, is 89 miles. The canal as far up as Lewistown, being the lower half of this line, kept open for navigation until the 10th of January, 1831; and the navigation was open on the 25th of March, to Newton Hamilton, which is 69 miles above Duncan's Island.

One of the abutments of the dam in the Long Narrows was injured, and the towing path of the canal for some distance below it, was broken through in several places by an unusual freshet in the spring.

About the 25th of April, the two aqueducts over the river at Shaver's ford and at Jack's narrows were finished, and shortly afterwards boats arrived at Huntingdon from Philadelphia, a distance of 255 miles. Since that time the navigation has been uninterrupted, except for a few weeks; which was occasioned by the breach of a large culvert near Waynesburg, and the sinking of one branch of the dam at North's Island, which had been undermined by the over-fall of the water. The culvert was rebuilt with great promptitude, and both the dams have been repaired. The towing path through the long narrows, has been raised and strengthened; and water ways have been constructed round the locks: so that when a few other repairs are made which are yet necessary, and which can be done during the ensuing winter, the whole line will be in good order for an active trade between the east and west, next season.

The expenditures for repairs, &c. on the 89 miles, since the 1st of December, 1830, have been \$66,976 53½.

The WESTERN DIVISION, from Johnstown to the Monongahela river, at Pittsburg, and including the branch and out-let lock into the Allegheny river, is 105 miles. The canal from Blairsville to Pittsburg, continued open for navigation until the 11th of January, 1831; and the trade commenced again upon the whole division on the 7th of April last.

The tunnel at Pittsburg and out-let locks into the Monongahela, are finished ready for navigation. This tunnel is solidly arched throughout with sand stone, laid in hammer-dressed range work.

The tunnel that was excavated through a hill at a loop of the Conemaugh, about ten miles below Blairsville, has given much trouble, by the rock falling from its roof. Hopes were entertained that as soon as the roof would acquire the form of a gothic arch, it might become permanent; but these hopes were disappointed. Large masses of stone continued falling, which often interrupted the navigation, and rendered a passage through the tunnel extremely dangerous. The board, therefore, gave directions to have so much of it arched as had manifested symptoms of giving way. The largest portion of the work has been done, and the most dangerous places have been secured. The residue of the arching will be finished during the ensuing winter.

Dam No. 4, at the tunnel, required extensive repairs, which have been made, and they are done in a substantial manner.

The whole western division was kept in good navigable order, until the 7th of July last, when the greatest disaster happened that has heretofore befallen the

public works of the state. Continued wet weather, for several weeks prior to the 7th July, had saturated the ground, and filled the streams with water, when an unprecedented rain fell upon a narrow strip of country parallel with the Conemaugh, and only a few miles distant from it, which in four or five hours, swelled the small tributary streams on the south side of the river into irresistible torrents, which in their headlong course, swept off fences, bridges, mill dams, saw mills, and houses, and suddenly raised the river to an extraordinary height.

At the mouth of Tub Mill creek, there were about 14,000 yards of embankment, and a great amount of protection wall carried away from the canal. M'Gee's run bore off a towing path bridge. Stony run swept away the aqueduct over it; and several small towing path bridges, walls and embankments, along the Kiskiminetas line, were thrown down, carried away, or destroyed. But the most serious effect produced by the flood, was the destruction of a large dam over the river at Leechburg.

Immediate measures were taken to repair the injuries sustained by the public works, and proposals were received from contractors for repairing the old dam, and also for building a new one, 1400 ft. further down the stream. Upon opening the proposals, and calculating the value of the bids, it appeared that about as much was asked for repairing the old dam, (when taken in connexion with the abutments and the guard lock which required to be rebuilt) as for building a new dam and all things connected with it; hence the board decided upon having a new dam erected.

The reasons which governed the board in their decision, were, the extent of the breach in the old dam and that the foundation was washed out to a great depth; that the old dam was grossly defective both in plan and construction, and a portion of what was yet standing was greatly shattered; that the same cause which had effected the present breach might again occur, and remove the remainder of the dam, at a time when an immensely increased commerce would proportionably magnify the evil; that one of the abutments required immediate re-building, and that the other one, being constructed of wood, must soon perish; that the guard lock was so unfaithfully executed, as also soon to require re-building; that the site chosen for the new dam affording rock for one of the abutments; that the principle upon which the new dam was proposed to be constructed, afforded entire confidence in its strength and stability; and lastly, that very little, if any, saving would be effected, either in time or expense, by adopting a temporary patch work plan, instead of a radical remedy.

The new dam has a base of 96 feet with the thread of the stream, sloping on both sides to the comb; it is 28 feet high from the bottom of the river, and 23 feet high from low water mark; and has a wier 450 feet long.

The abutment and guard lock were built by contractors, and the dam itself was erected by the three supervisors upon the western division. The board take great pleasure in bearing testimony to the unremitting diligence of those gentlemen, Messrs. Leckey, Knott and Jameson—This great structure was urged forward by them with such system, energy and perseverance as to be completed, (except some graving,) in 68 days from the time the first timber was laid down.

All the other injuries sustained by the flood have been effectually repaired, and there is now no obstacle to the future use of the western division.

The whole amount of money expended for repairs, &c. between Johnstown and Pittsburg, including the Leechburg dam and guard lock, since the 10th of December, 1830, is \$73,217 61½.

The FRENCH CREEK FEEDER, from near Bemis' mill to the lower end of the feeder, by Conneaut swamp, is 19½ miles. The present situation of the feeder renders it entirely useless. \$4,399 85 has been expended du-

ring the present year in securing the aqueduct over French creek, and in making some other repairs deemed indispensable for the preservation of the canal.

The following is a summary of the old lines of canal with their length, and the sums expended on them for ordinary and extraordinary repairs within the year, and for additional structures to render them more perfect.

Length, MILES.	Toll disbursements.	Ordinary repairs.	Extraordinary expenses.
	DOLLS. CTS.	DOLLS. CTS.	DOLLS. CTS.
Delaware division, Columbia line of the Pas- tern division, Harrisburg line, including Susquehanna to lock at Berry's Falls, Susquehanna division, from lock at Berry's Falls, North Branch division, West Branch division, Juniata division, Western division, French Creek feeder,	59½ 10 63 55½ 24½ 89 105 19½ 426½	97,339 50½ 8,974 04 9,324 12½ 3,108 04 5,854 75 18,584 18½ 6,698 65½ 22,325 55½ 24,405 91½ 74 00 92,708 84½	87,339 50½ 7,316 30 6,216 08½ 7,316 30 11,709 61 57,168 38 13,397 31 44,651 00 48,811 70 4,325 85 260,935 74

It will be perceived by the above table, that the ordinary repairs on 426½ miles of canal have cost \$92,708 84, while the extraordinary expenses incurred within the last year have amounted to \$260,935 74. This last sum belongs more properly to the cost of construction than the expense of repairs, being principally incurred in making necessary new works, and in remedying the defects of old works, which required large expenditures to render them useful and permanent. The aggregate estimates of the supervisors, for ordinary repairs, &c. within the ensuing year, amount to about \$100,000. But as the works have all been recently constructed, it would be unwise to expect a total exemption from partial failures, [it will, therefore, be necessary to provide for casualties to which all new works of this kind are subject.

Finding that the appropriation for making repairs on the canal, and for other purposes, would prove inadequate to meet all the demands upon that fund, the board of canal commissioners, on the 11th of November last, directed so much of the fund as was then in the treasury, to be paid to the supervisors having the charge of the Leechburg, Muncy, and Shamokin dams, deeming the completion of these structures of vital importance to the whole canal system. Hence there is a deficiency for other objects, intended to be paid out of that appropriation, some of which are of an urgent nature, requiring the speedy interposition of the legislature.

While the board are not disposed to doubt the wisdom of making specific appropriations for the construction of the several lines of canal and rail-road, yet they would respectfully suggest the propriety of making a general provision for repairs, that may become neces-

sary. A limited appropriation may often not be adequate to meet extraordinary exigencies, and for want of power in the fiscal officers of the government to grant relief, may be attended with disastrous consequences.

A combination of untoward circumstances during the past season prevented the use of the greatest part of the canal, and hence the toll received for 11 months, ending on the first of November last, amounted only to the sum of \$38,241 29.

A want of correct information, respecting the power and capacity of the canal, and distrust in its stability, caused the usual number of arks to be constructed, which, with a favourable state of water in the rivers throughout the season, conveyed to market the greatest portion of the produce of the country. In May last, the trade between Philadelphia and Pittsburg, began to take the route of the Schuylkill, Union and Pennsylvania Canals, and was becoming quite active; when on the 7th of July the disasters, already detailed, took place along the Conemaugh and Kiskiminetas rivers, since which time the trade by that route has been entirely suspended. Full confidence is entertained, that neither of the above causes will operate hereafter, and that in ordinary seasons the public may calculate upon having an uninterrupted navigation, from about the 15th of March, to the 15th of December: or nine months in every year.

From preparations, which are making by the citizens along the several lines, to employ the canal next season, calculations have been made by the collectors, of the probable amount of toll which may be expected during the next year. These estimates amount to \$161,000; the board believe it will be safe to place it at \$150,000.

The tolls charged on the Pennsylvania canal were revised by the board of canal commissioners, on the 9th of last April; they are now as low as justice can require, or prudence can warrant. A copy of the rates of toll in tabular form marked B. accompanies this report.

Numerous water powers have been, and are being, created by the Commonwealth, along the several divisions of canal and slack water. It is respectfully suggested that an authority vested in the board, to dispose of so much of the surplus water as cannot be required for the purposes of navigation, would multiply manufactures, promote the prosperity of the country, and add much to the revenue of the state in rent, for the use of the water, and in tolls on the additional tonnage arising therefrom.

Under the act of the 6th April, 1830, appeals were taken from fifteen decisions on the eastern; forty-two decisions on the Juniata, and one hundred and seven decisions on the Delaware division; made by the canal commissioners upon claims for damages, occasioned by the construction of the canal, to the appraisers appointed under the said act. The amount offered by the canal commissioners, and the amount awarded by the appraisers, appear from the following statement:

	Number of appeals.	Amount offered by Canal Com- missioners.	Amount awarded by the ap- praisers.
Eastern division.	15	\$1,505 00	\$3,437 00
Juniata division.	42	1,428 00	11,692 00
Delaware division.	107	10,115 00	31,975 50

The awards by the appraisers upon the eastern division, were made in the year 1830, and directions were given by the board to the superintendent, to pay the amount awarded to the claimants respectively. The awards upon the Juniata and Delaware divisions, were made by the appraisers during the past season; and the record required by the act to authorise the canal commissioners to carry their proceedings into effect has not yet been received.

The sum of \$33,863 25 has been paid within the last year for damages, on the following divisions of the Pennsylvania canal and rail-road:



French creek feeder,	\$10 00
Western division,	2198 00
Juniata division,	2107 61
North branch division,	7508 50
West branch division,	328 00
Eastern division,	4,829 00
Delaware division,	16,832 14
Columbia and Philadelphia rail road,	50 00
	<u>\$33,863 25</u>

By an act of the 4th of April, 1831, the canal commissioners are required, should they deem it practicable and expedient to construct a chute or sluice in the Shamokin dam, on the east side of the river, for the passage of river craft, or to adopt such other measures as they may deem best calculated to insure and preserve the safe navigation of the river at that place.

The board, in the discharge of this duty, have adopted the plan of extending the walls of the old sluice, making the whole length of the sluice as now constructed, six hundred and fifty feet, and rendering, as they believe, the navigation entirely safe, at a much less expense than it could have been effected on the east side of the river.

The West Philadelphia canal company, on the 14th instant, presented to the board a plan of the proposed canal navigation round the western abutment of the permanent bridge over the river Schuylkill, at the city of Philadelphia, to be submitted to an engineer or engineers, to be appointed by the canal commissioners, agreeably to the provisions of the 15th section of the act incorporating the company. The board therefore appointed Moncare Robinson and D. B. Douglass, engineers, to make the re-survey and examinations required by the said act.

By the act of the 4th of April, 1831, the canal commissioners are directed to enquire and ascertain, whether the fifth section of the act of Pennsylvania passed the 19th day of February, 1801, which declares the Susquehanna down to the Maryland line, to be a public highway, has been violated by the erection of dams; the dams constructed on this river, under the authority of the state are four in number, two on the main river, and one on each of its North and West branches; these dams vary in height counting from the bottom of the river, from 8½ to 12 feet; sluices are left in three of them, and a chute constructed in the fourth, for the accommodation of the descending trade on the river. Considerable damage however has been done during the last spring freshets, to craft passing through two of those sluices, but such improvements have since been made as will for the future render the descending navigation entirely safe. This being effected, the canal commissioners are of opinion, that the law of the 19th February, 1801, has not been violated.

By the act of the 25th March, 1831, the sum of 120 dollars is appropriated to the repair of that portion of the public road, on the south side of the river Lehigh, which was injured or destroyed by the dam across the mouth of the said river; upon examination it appears, that the sum appropriated is inadequate for the purpose, and it has been suggested that a change of the location of the road could be advantageously made, and that the object of the act would thereby be more effectually obtained.

In obedience to the directions of the resolution of the 30th of March last, a survey has been made by the engineer, upon the division for a side cut from the Juniata division of the Pennsylvania canal, to the Juniata river, nearly opposite the mouth of Tuscarora creek; the river bank opposite the mouth of that creek was found to be decidedly unfavourable for the proposed connection. The site selected is a few rods below the Perrysville ferry, and may be considered favourable. The distance between the towing path of the canal, and the river on the line proposed is 300 feet, and the dif-

ference of level, between the surface of the canal and the river is 15 feet, to be overcome by two combined locks of 7½ feet lift each. Owing to the proximity of the canal to the river, the proposed cut will be on a line diagonal to the canal, and a basin of 100 feet in length, and 50 feet wide, must be excavated on the berm side of the canal to admit of boats turning. The whole work is estimated to cost \$11,452 32.

On the 6th of April last the superintendent upon the Juniata division was directed to make the necessary examinations, under the act of the 4th of April, 1831, authorising the board to settle with James McNamee, late a contractor on section 37, of the said division, for retained percentage, and materials delivered, and to pay the amount which may appear to be due. The superintendent reported to the board on the 8th of June, that the sum of \$378 73 of retained percentage remained unpaid, but that no other part of the claim was founded in justice. The sum reported to be due was then directed to be paid.

In obedience to the act of the 25th of March last, the board on the 29th of March directed the superintendent upon the Susquehanna division, to contract immediately with some fit person for the construction of a chute in Snyder's dam on Penn's creek. A contract was accordingly made soon thereafter, but was abandoned in September, because the sum of two hundred dollars appropriated by the act was insufficient to meet the cost of the necessary repairs. Subsequent offers have been made to other persons, deeply interested in the navigation of Penn's creek, but the board have not found any person willing to undertake the repairs of the chute for the sum appropriated.

As a conclusion to the report of the board, detailing their proceedings in the year that has just elapsed, they thought it proper to take a concise retrospect of the rise and progress of the public canals and rail-roads of Pennsylvania, exhibiting the systematic and unwavering efforts of a great state, proceeding steadily, through a series of years, in the prosecution of a gigantic system of improvement, which, when completed, as now authorised by law, will be about seven hundred miles in length.

On the 10th of February, 1824, a report was made to the House of Representatives, by a committee of that body, recommending a survey from the termination of the Union canal, at Middletown, along the valleys of the Susquehanna, Juniata, Conemaugh, Kiskiminetas and Allegheny rivers, with a view to a continuous canal, from Philadelphia to Pittsburg.

March 27th, 1824, a law was passed, authorising the governor to appoint three canal commissioners, to explore the following routes, to ascertain the practicability of constructing canals on the lines designated.

1. From Harrisburg to Pittsburg, by the waters of the Juniata and Conemaugh rivers, also, the route by the West Branch of the Susquehanna and Sinnemahoning, with the waters of the Allegheny river; and also, the country between the Schuylkill and the Susquehanna, through the great valley of Chester and Lancaster counties.

2. From a point on the river Schuylkill, in Schuylkill county, by Mahonny creek, the river Susquehanna, the Moshannon or Clearfield and Black Lick creeks, the Conemaugh, Kiskiminetas, and Allegheny rivers, to Pittsburg.

February 2d, 1825.—A majority of the canal commissioners reported that they had surveyed about four hundred and eighty miles, between the Schuylkill river and the sources of the Juniata and Conemaugh, on the Allegheny mountain, during the previous season; and that in their opinion, a canal was practicable from east to west, and ought to be undertaken immediately by the State.—\$6,351 27, were expended on these preliminary explorations during the year 1824.

April 11th, 1825.—A law was passed directing the Governor to appoint a board of five canal commis-

ers, who were required to explore and survey routes for canals.

1. From Philadelphia through Chester and Lancaster counties, and thence by the West branch of the Susquehanna and the waters thereof, to the Allegheny and Pittsburg.

2. From the Allegheny to Lake Erie.

3. From Philadelphia, by the Juniata to Pittsburg; and from thence to Lake Erie.

4. From Philadelphia to the northern boundary of the state, towards the Seneca or Cayuga lake.

5. A route through Cumberland and Franklin counties, to the Potomac river.

6. A route by the Conococheague, or Monocosey and Conewago, to the Susquehanna.

7. A route through the county of Bedford, to connect the route of the proposed Chesapeake and Ohio canal, with the Juniata.

December 30, 1825, and February 3, 1826, the canal commissioners reported that four routes were levelled and surveyed, that is:

1. The several summits on the route by the West Branch of the Susquehanna.

2. Between the Sinnemahoning and Toby's creek.

3. Between the heads of the West Branch and Two Lick creeks.

4. Between Clearfield creek and the Conemaugh.

And connecting these with the surveys of the previous year at the mouth of the Juniata and at the Allegheny mountain—and also the Juniata summit, and thence by the Conemaugh, Kiskiminetas and Allegheny to Pittsburg.

After giving a preference to the most northern and Juniata routes, they state, "the board do not hesitate to say, that the practicability of a communication by one or other of the routes proposed, which shall answer all valuable and useful purposes, is satisfactorily ascertained;" and they conclude with recommending the beginning of the work by the commonwealth.

The sum of \$6,575 93 was expended in 1825 for making preliminary surveys, and for expenses of the board of canal commissioners.

February 25, 1826, a law was passed directing about 54 miles of canal to be put under contract, to wit: From the west end of the Union canal to opposite the mouth of the Juniata—and from the mouth of the Kiskiminetas to Pittsburg. These portions of the line being common to all the routes proposed, were deemed most proper to commence upon.

April 10th, 1826, the governor was required by law to appoint four additional canal commissioners, thus increasing the board to nine in number.

December 11th, 1826, and February 6th, 1827, the canal commissioners reported, that they had continued the surveys and examinations of canal routes.

1. To connect the Susquehanna and Potomac rivers.

2. From the mouth of the Juniata, up that stream and thence to the mouth of the Kiskiminetas by a canal and portage.

3. From the mouth of the Kiskiminetas to the mouth of French creek.

4. A feeder from French creek to Conneaut lake.

5. From the mouth of the Juniata, by the West Branch and Sinnemahoning, to the head of Clarion river.

6. From Northumberland to the New York line.

By that report, it appears that they had put under contract 22½ miles of the canal on the Susquehanna, and 24 miles on the Allegheny, being 46½ miles altogether, and they recommended the opening of a communication between the Eastern and Western divisions by a canal and portage road on the Juniata route; and also, a canal up the Susquehanna to Northumberland, and by the North branch to the New York line; and also, by the West Branch to Bald Eagle; they likewise brought into view, connections between the Delaware and Susquehanna, the Ohio, and Lake Erie, and a canal

route from the tide waters of the Delaware up that stream.

The disbursements for the year 1826, were

For preliminary surveys, including expenses of the board of canal commissioners, \$15,032 74

For construction of canal, pay of acting commissioners, engineers, &c. \$126,698 64

April 9, 1827, the Legislature directed a canal to be constructed from the Western termination of the Eastern division, up the Susquehanna to Northumberland, and up the Juniata to Lewistown, and from Blairsville to join the western division at the mouth of the Kiskiminetas, and also to commence a feeder from French creek to Conneaut lake, and a canal on the Delaware between Philadelphia and Easton.

December 25th, 1827.—A report was made by the canal commissioners, showing that they had continued the preliminary surveys.

1. From Easton, up the Delaware, to Carpenter's point.

2. From the Delaware to the Schnylkill, at Philadelphia.

3. For a rail road from Philadelphia to Columbia.

4. An estimate for a canal, from the Maryland line, up the Susquehanna, to Columbia.

5. From Columbia to Middletown.

6. From Pittsburg, by the Beaver and Shenango, to Conneaut lake.

7. From Conneaut lake to Erie Harbor.

8. From the Allegheny river to Conneaut out-let.

9. From Meadville, by French creek, to Erie Harbor.

10. Another survey along the North branch.

11. Between Bennet's branch of Sinnemahoning and Sandy lick.

12. Between the West branch and Two Lick creeks.

In reference to the two latter surveys, the board used this emphatic remark: "They are therefore compelled to say, in the most explicit manner, that a navigable communication, between the eastern and western waters of Pennsylvania, sufficiently permanent to justify the expense, is wholly impracticable."

The board also reported, that they had put under contract,

18 miles of canal on the Delaware division, from Bristol upwards.

40 miles on the Susquehanna, from the eastern division to Northumberland.

44½ miles on the Juniata, from its mouth to Lewis town.

51 miles between Blairsville and Pittsburg, and

9 miles of the French creek feeder; making

162½ miles of canal contracted for in 1827.

The expenditures of the year 1827, amounted to

For preliminary surveys, including the expenses of the board of canal commissioners, \$18,355 37

Construction of canals, pay of officers, damages, &c. 913,620 54½

March 24, 1828, the legislature directed an extension of the canals along the Conemaugh, Juniata, Delaware and North Branch, not exceeding 45 miles on each stream; 25 miles on the West Branch, ten miles between Middletown and Columbia, and the French creek feeder to be carried to Conneaut lake; and also, the road bed to be prepared of 40 miles, twenty miles each end for a rail road between Columbia and Philadelphia.

December 11th, 1828, by the report of the canal commissioners, it appears that, in obedience to law preliminary surveys were made,

1. Of the Ohio river, from Beaver to Pittsburg.

2. Of the Monongahela river, from Pittsburg to Brownsville.

3. Of the Allegheny river, from the mouth of the Kiskiminetas to the mouth of French creek.

4. For a portage road over the Allegheny mountain.

5. For a canal through Kishacoquillas valley.
6. For a rail road from Harrisburg to Chambersburg, and thence by Gettysburg to York.
7. Several surveys between the Susquehanna and the head waters of the Schuylkill and Lehigh rivers.
8. Another survey from Easton to Carpenter's point.
9. Another survey of the West Branch, to the mouth of Bald Eagle.

Their report also shows that they had put under contract during the preceding season,

10½ miles of the French creek feeder.

26½ miles of canal, from Blairsville up the Cone-maugh.

45 miles on the Juniata.

23 miles on the West Branch.

45 miles on the North Branch.

35½ miles on the Delaware.

10 miles between Middletown and Columbia.

195½ miles of canal contracted for in 1828; and also, 40½ miles of road formation of the Columbia and Philadelphia rail-road.

Preliminary surveys expenditure included in the next year.

The amount expended in 1828, for construction, and pay of officers, &c. \$2,785,612 24.

April 22, 1829, a law was passed, requiring the canal commissioners to enter into contracts for those sections on the Delaware division, and on the North Branch division, which had not then been commenced, and making it their duty to cause as much of the contracts, then made upon the different lines of canal and rail way, to be completed within the year, as should be practicable.

By an act of the 16th April, 1829, the legislature appointed a board of nine canal commissioners, to serve for one year from the first Monday of June thereafter.

December 18th, 1829, the canal commissioners reported that they had caused other surveys to be made of the east end of the Columbia and Philadelphia rail road, and of the portage rail road over the Allegheny mountain. By their report, it appears that they had put under contract

6½ miles of canal on the Delaware and

9 miles on the North Branch, making

15½ miles contracted for in 1829.

195 miles of canal were reported as finished and navigable; 106,000 dollars as borrowed over the appropriation, and 1,398,790 67 dollars as due to contractors for work done. That year rates of toll upon the canal were established and a system of rules and regulations was adopted.

The sums expended in 1829, were for

Preliminary surveys, including surveys

made in 1828, \$19,637,67

Construction of canals, pay of officers, damages, &c. 3,713,908 25

March 27, 1830, the legislature made it the duty of the canal commissioners to cause all existing contracts to be completed, if practicable, during that year, and to construct about three miles of canal at the east end of the western division extending to Johnstown, and also requiring another survey of the portage road over the Allegheny mountain, by three engineers.

During the same session an act was passed reducing the number of canal commissioners to three, and again vesting their appointment in the governor.

December 21, 1830, the canal commissioners reported that they had caused another survey to be made of the Allegheny portage road, and surveys of connexions between the Pennsylvania canal and the Susquehanna river at Harrisburg and Lewisburg—and that they had placed under contract and constructed three and an half miles of canal below Johnstown. They say that the water had been admitted into 406 miles of canal and that 20 miles more were nearly completed; and 40½

miles of the bed of the Columbia and Philadelphia rail road were graded and ready for laying the rails.

The tolls received in 1830, were 27,012 90

The disbursements for the year 1830, including surveys, construction of canal and rail roads, officers, damages, repairs, &c. 3,137,844 08

March 21st, 1831, the legislature directed the completion of the whole of the rail road from Columbia to Philadelphia, and of the Eastern division of the canal between Columbia and Middletown; also the extension of the Juniata division by canal or slack water, from Huntingdon to Hollidaysburg, and a rail road from thence across the Allegheny mountain to Johnstown; also the extension of the West Branch division, by canal or slack water, from the Muncy dam to the mouth of the Bald Eagle, and a water communication between the town of Lewisburg, and the said division; also, the extension of the North Branch division by canal or slack water from the pool of the Nanticoke dam, fifteen miles, and a towing path along said pool; also, a canal or slack water from the Allegheny river, at the mouth of French creek, up that creek to the French creek feeder, and a canal or slack water from the Ohio river, at the mouth of Big Beaver creek, up that creek to the town of New Castle.

By the present report of the canal commissioners, it appears that they have put under contract during the past season:

Miles. Perches.

41 38, of road bed formation upon the Columbia and Philadelphia rail-road.

32 160, of laying a single track of rails upon do. do

36 221, of road bed formation upon the Allegheny Portage road.

8 227, of canal on the Eastern division between Middletown and Columbia.

38 102, of canal and slackwater, upon the Frankstown line of the Juniata division.

3 48, of feeder do. upon do. do.

16 316, of canal and slackwater upon the Wyoming line of the North Branch division.

203½, of feeder do. upon do. do.

41 68, of canal and slack water upon the Lycoming line of the West Branch division.

200, the Lewisburg cross cut.

22 88, of canal and slack water upon the Franklin line of the French creek division.

22 240, of the Beaver division.

266 311½, placed under contract in 1831.

The amount expended in the year 1831, up to the 1st of December, is \$1,199,827 96.

The whole sum received by the treasurer

of the canal commissioners, up to the

date of their last report, is \$10,288,309 59

From which deduct the sums refunded, 41,743 13

The actual amount received by the treas-

urer, for canal purposes, at the date of

the last report of the canal commission-

ers, Dec. 21, 1830, \$10,246,566 46

Amount received by the treasurer of the

board, from the date of the,

last report, up to the 1st

of Dec. 1831, \$2,092,702 37

From which deduct amount

refunded, and a balance in

the treasury on the 1st of

January, 4,780 21

2,087,922 16

The whole amount received for canal

purposes, up to the 1st of December

1831, \$12,334,488 62

Deduct the whole amount disbursed up

to the 28th February, 1831, as per the



settled of the canal commissioners, accounts by the Auditor General,	10,677,683 76
Balance,	\$1,656,804 86
Amount disbursed from the 28th of February to the 1st of Decem- ber, 1831,	\$1,199,827 96
Amount advanced to su- perintendents and su- pervisors, for which accounts are in a train, for settlement,	249,449 83
	1,449,277 79

Balance in the treasury upon the 1st Dec. 1831,	\$207,527 07
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Signed by order of the board,  
ATTEST, JAMES CLARKE, *President*.  
FRS. R. SHUNK, *Sec'y*.  
Harrisburg, December 15, 1831.

A.  
ARTICLE OF AGREEMENT, entered into this  
day of one thousand eight hundred and  
by and between the COMMONWEALTH OF PENNSYLVANIA,  
superintendent on the  
Division of the Pennsylvania canal, of the one part,  
and  
of the other part,

Witnesseth, That the said  
do promise and agree to dig, embank  
puddle and construct, in a substantial and workmanlike  
manner, all that part of the Division of  
the Pennsylvania canal, known and designated as the  
section, upon the plan of the

line of said Division, in the following manner, to wit:

The canal banks to be so constructed, that the water  
may at all places be at least forty feet wide at the top  
water line, twenty-eight feet wide at bottom, and four  
feet deep. Each of the banks shall be at least two feet  
above the top water line, and such a slope shall be pre-  
served on the inner side of the banks, both above and  
below the top water line, as that every foot perpendic-  
ular rise shall give an horizontal base of eighteen inches,  
the towing path shall be on the river side of the canal,  
its surface shall be at least ten feet wide, and the bank  
opposite the towing path shall be at least seven feet  
wide, and both banks shall have a declination from the  
inner to the outer edge thereof, equal to half an inch for  
every foot of surface; the banks shall be constructed of  
pure, solid and compact water proof earth, and they  
shall be made smooth and even, with a slope on the out-  
ermost side, not less than is above mentioned. And it  
is further agreed, for the purpose of giving to the bank  
the necessary connexion with the earth upon which  
they are to be erected, that all the grass, trees, bushes,  
and stumps, on the space to be occupied by the canal  
banks, together with all logs, brush, roots and vegeta-  
ble matter of all descriptions, shall be wholly removed  
at least fifty feet from the centre of the canal; and it is  
further agreed that all necessary grubbing shall be exe-  
cuted according to the directions of the engineer ap-  
pointed by the canal commissioners of Pennsylvania,  
and when required that a puddle ditch shall be excava-  
ted under the seat of each bank, of such breadth and  
depth, and shall be carried up to such a height within  
the embankment, as may be designated by the engi-  
neers.

And the said to be paid for  
completing this contract as follows:

For grubbing and clearing, the sum of  
For all necessary excavation within the banks of the  
canal, puddle ditch and towing path be the same earth,  
gravel, loose stones, clay, loam or sand,  
per cubic yard.

For embankment, when removed over one hundred  
feet, and to be measured in the banks, per  
cubic yard.

For cemented gravel or hard pan, strictly  
such, per cubic yard.  
For solid or blast rock, per cubic yard.  
For detached rock measuring more than one cubic  
foot, and for slate rock, per cubic yard.  
For puddling, per cubic yard.  
For vertical wall, per perch of 25  
cubic feet.  
For outside slope wall, per perch of 25  
cubic feet.

It is understood by the parties, that under the term  
excavation, are included all drains that may occur on the  
section; and under the term embankment, is included  
the filling in of bridges, and that in all cases the earth  
for embankment shall be taken from such places as may  
be directed by the superintendent or engineer on the  
line. It is also understood that no allowance shall be  
made for the bailing of water.

It is further agreed, that any items of work, that may  
necessarily occur on this section, not already specified  
in this contract, shall be estimated by the engineer, and  
paid for accordingly. And it is further understood by  
the parties that all stone quarried from the bed  
of the canal is the property of the commonwealth  
of Pennsylvania, and not of the contractor, and may be  
disposed of by the superintendent as he may think prop-  
er; and that all timber, buildings or fences on the  
track of the canal, are the property of the landholder,  
and the said contractor to be responsible for the safe  
keeping of the same from the depredations of  
hands and laborers.

The payments to be made in the following manner:

On or about the day of next  
ensuing the date of this contract, the said engineer  
shall estimate the quantity of work done, and upon his  
certificate being presented to the superintendent, the  
amount thereof shall be paid, deducting therefrom fif-  
teen per cent., and on or about the day of  
each succeeding month, within the limits of this con-  
tract, the like estimate shall be made, certificate grant-  
ed, and payment in like proportion made thereon. The  
fifteen per cent. directed to be retained to be withheld  
until the contract is completed, unless the board of ca-  
anal commissioners shall direct the same or any part  
thereof to be sooner paid: And further, at the expira-  
tion of the stipulated period for the completion of this  
contract, if the whole work shall be finished to the satis-  
faction of the said superintendent, the said engineer shall  
estimate it, and within twenty days after the presenta-  
tion of his certificate to the superintendent the balance  
which may remain due shall be paid.

It is further agreed between the parties, that when  
the superintendent on this division shall give notice in  
writing, or by public advertisement, that the sum of  
money appropriated towards the expenses of this divi-  
sion, for the present year shall have been expended,  
that any subsequent labor performed under this con-  
tract, shall not be considered as incurring a debt against  
the state, contrary to the true intent and meaning of  
the 7th section of the act of 21st of March last.

And the said  
do further promise and agree, that will  
from time to time during the progress of the work  
conform to such deviations from the present line of the  
canal, and to such alterations in the form, slope, and di-  
mensions of the banks, towing paths or any other part of  
the works; as the said engineer may direct. And it is  
mutually agreed, that the decision of the said engineer  
shall be final and conclusive, in any dispute which may  
arise between the said parties.

And the said  
do further agree, that will not re-let or trans-  
fer said contract, or any part thereof, to any other per-

son or persons whatever. And that will personally superintend the work during its progress.

It is further agreed between the parties, that in case the work upon this section shall not be commenced within days from this date; or if at any subsequent period the said should, in the opinion of the superintendent or engineer, refuse or neglect to prosecute this contract with a force proportioned to the quantity of work to be done, and the period within which it is to be completed; or shall sub-contract or re-let said section or any part thereof; or shall not give personal superintendence to the work, the said engineer shall have power with the consent of one of the canal commissioners to determine that this contract has been abandoned, and such determination shall put an end to this contract, and exonerate the commonwealth from every obligation thence arising; and the superintendent may immediately proceed to dispose thereof in the same manner as if it had never existed. And to avoid disputes, as well as interruption and hindrance to the regular and peaceable progress of the different parts of the work, and to prevent unnecessary injury to the rights and property of the neighbors in the vicinity of the canal, the superintendent, engineer, or assistant engineer will dismiss from the service, every quarrelsome disorderly person, and such as shall be addicted to habits of intemperance, or who shall wantonly commit any unnecessary trespass, either upon the person, land, or property of citizens living, travelling, or working upon or near the works of the said canal, to be guilty of other offensive misconduct; and every contractor shall dismiss all similar persons employed under him, whenever thereto directed by the superintendent, engineer, or assistant engineer.

And the said do promise and agree to finish and deliver up this contract on or before the day of in the year 183

This contract not to be binding on the commonwealth, until approved by the board of canal commissioners.

In witness whereof, the said parties have hereunto set their hands and seals the day and year first above mentioned.

WITNESS, [L. S.] Superintendent.  
[L. S.]  
[L. S.]  
[L. S.]

*Extract from the 6th Section of the act of the 25th of February, 1826.*

"No extra allowance shall in any case be made for the performance of any such contract beyond the sum stipulated therein.

#### REPORT OF THE COMMISSIONERS OF THE INTERNAL IM- PROVEMENT FUND.

*Office of the Commissioners of the Internal Improvement Fund, Dec. 17, 1831.*

To the Speaker of the H. of R.

SIR—In compliance with a resolution of the House of Representatives of the 15th inst., requiring the Commissioners of the Internal Improvement fund, to "furnish to the House, a statement of the moneys disbursed by them, under the provisions of the act of Assembly, entitled "an act authorising a loan of money to be invested in the Internal Improvement fund, to be applied to the payment of repairs, damages and other demands upon said fund, and for other purposes," passed 30th March, 1831: and if no part thereof was paid in satisfaction of damages assessed, that they state the reasons therefor"—the Commissioners of said fund beg leave to state, that the sum of \$300,000, appropriated by said act, was paid over to them, and has been applied

to the purposes intended, as detailed in their report to the Legislature, on the 13th inst., from which it appears, that \$290,000 were paid to the treasurer of the Board of Canal Commissioners, on accounts drawn by the Governor, and \$10,000 retained for the payment of the salaries of Lock-keepers and Toll-collectors, of which last sum a balance of \$963 23 remains in their hands.

The Commissioners of the fund, upon a careful examination of the several acts of Assembly, relative to disbursements for canal and rail road purposes, came to the conclusion, that the act of 30th March, 1831, did not constitute three disbursing officers, nor did it require of them to make direct payments, on account of repairs, damages or salaries of officers, excepting those of Lock-keepers and Toll-collectors. From the commencement of the system, it was evidently the intention of the Legislature, that the board of Canal Commissioners or their subordinate officers, should be the agents for the payment of all moneys connected with the construction of the Canal; and the Commissioners of the Internal Improvement fund, are not regarded in the light of disbursing officers, either by the act constituting them a board, or by any of the subsequent acts imposing further obligations.—Their duties are of a character entirely different as will appear by an examination of the acts of Assembly.

The act of 1st of April, 1826, "establishing an internal improvement fund," constitutes the Secretary of the Commonwealth, the Auditor General and the State Treasurer, as Commissioners. The sole object of that act was the creation of a fund, for the payment of interest on loans, that were or might be authorised for the construction of the Pennsylvania Canal, and it does not appear that any further duty was intended to be imposed on the Commissioners than the management and superintendence of that fund. As the act creating the Commissioners precisely defined their duties, all subsequent acts enlarging their powers, must be construed strictly in accordance with the object of their constitution.

The act of 1st of April, 1826, entitled "an act authorising a loan for the commencement of the construction of the Pennsylvania Canal and for other purposes," is the first in which we find an enlargement of the original powers of the commissioners of the internal improvement fund. That act requires the Governor to borrow the sum of \$300,000, to be paid to the commissioners, to be by them "APPLIED in the manner and for the purposes hereinafter directed." The 4th section of the same act prescribes the manner, and directs "that it shall be the duty of the commissioners of the internal improvement fund to cause such sums to be paid out of the moneys so borrowed as aforesaid, as shall be found necessary for the construction of so much of the Pennsylvania Canal as is now authorised by law to be constructed, on warrants drawn by the Governor, on the Commissioners of said fund, at the request of the board of canal commissioners, to the treasurer of said board, who shall pay out the same, &c.

It thus appears that at the commencement of the system, the commissioners of the fund were passive agents in the disbursement of moneys for the construction and incidental expenses of the canal; and all the subsequent acts, by which the proceeds of loans were vested in them, make the same provisions with regard to the manner in which the money shall be applied to the purposes intended. The 18th section of the 9th April, 1827, says, "all such sums shall be drawn and accounted for," as directed by the Acts of 25th February and 1st April, 1826, both of which declare that moneys shall be paid on governor's warrants. The acts of 24th March and 18th December, 1828, provide that the money shall be applied in the manner directed by law. The Acts of 23d April, 17th November, and 7th December, 1829, prescribe no particular mode of payment, and therefore the practice under for-

mer laws was continued. The Act of 13th March, 1830, uses the expression "to be applied as directed by law," and the act of 21st March, 1831, is silent on the subject.

With regard to the payment of damages the several acts of Assembly are equally explicit in making it the duty of the Canal Commissioners, or their subordinate officers. The first act on this subject was passed on the 23th February, 1826.—The 8th section of that act, after prescribing the mode in which damages shall be ascertained, directs that they shall be paid by the Board of Canal Commissioners. The Acts of 10th April, 1826, authorises the canal commissioners to take acquittances or releases for any claims to damages. The 8th section of the act of 9th April, 1827, provides a mode of assessing damages, and directs that "*the acting canal commissioner shall and he is hereby required to pay to the said petitioner the full amount of damages and costs assessed as aforesaid,*" which has been transferred to superintendents by the act of 6th April, 1830. The act of 16th April, 1831, requires the canal commissioners to report to the Legislature the amount paid for damages.—The 8th section of the act of 24th March, 1828, requires the canal commissioners to take acquittances for damages. In addition to these positive provisions, the 13th section of the last mentioned act clearly shows that the Legislature never intended that the commissioners of the fund should be disbursing officers. The 2d section of the act of 16th April, 1827, inadvertently had directed the salaries of Engineers and others to be paid by the treasurer of the internal improvement fund, instead of the treasurer of the Board of canal commissioners, but the 13th section of the act of 24th March, 1828, corrected the error, and directed that the amount so paid should be refunded to the commissioners of the internal improvement fund.

If any doubt could exist, after the provisions of these several acts, relative to the proper authority for the payment of damages, it must be removed by the act of 6th April, 1830, which is very positive on the subject. The 5th section of that act directs the Canal Commissioners, to ascertain the amount of damages, and to make an offer of such sums to the persons aggrieved, as they shall think reasonable; and in case of non-acceptance, the 6th section creates a board of appraisers, to whom the matter shall be submitted, and whose decision shall be final. The board of appraisers are required to make a record of their proceedings, a copy of which shall be delivered to the board of Canal Commissioners, "*to be by them carried into effect according to law.*" This is a positive injunction, on the Canal Commissioners, to pay all damages, and the act of 30th March, 1831, contains no provision which by any rule of construction, would operate to change the practice. This last mentioned act vests in the Commissioners of the Internal Improvement fund, the sum of \$300,000, to be by them *applied to the purposes described*, without specifying any particular mode. It must be inferred that the legislature intended that it should be applied in the manner prescribed by the act of 6th April, 1830, and it was so applied. The sum of \$290,000 as before stated, was paid over to the Canal Commissioners on Governor's warrants, as directed by law, to defray the expenses of the different objects contemplated by the act; and it is presumed their report to the Legislature will contain a detailed statement of amount paid for damages.

Taking all these things into view, the commissioners of the fund, did not consider themselves as directly disbursing officers, for any of the purposes mentioned in the act of 30th March, 1831, with the exception of the salaries of Toll-collectors and lock-keepers. The resolution of the 8th of January, 1830, made it the duty of the commissioners of the fund, "*to pay the salaries of collectors and lock keepers, on the Pennsylvania Canal, out of the moneys arising from the tolls collected on said canal.*" Under this resolution the commis-

sioners made direct payments, and as the act of 30th of March last, prescribed no other mode, the Commissioners considered themselves bound by the then existing practice. The same reason did not apply to the other purposes of the act.—Damages are classed among repairs, and the construction of a towing path along the foot of the Nanticoke dam. The impossibility of the Commissioners of the fund, directly disbursing money for these latter objects, must be evident at first sight, and the act makes no distinction in favour of damages.

Independent of the positive provisions of law, the Commissioners of the fund would remark, that many difficulties and inconveniences must arise from direct payments out of their treasury. Each of the members comprising the board have to attend, to the duties of their several offices, and those duties generally are sufficient to occupy the greater portion of their time; but if other powers be superadded, particularly the direct disbursements of money, in all probability the Commissioners will be overburthened with business, and unable to discharge the functions of their offices, either with satisfaction to themselves or to the community.—They would further observe, that no advantage could possibly arise by constituting them disbursing officers. Agents of the Canal Commissioners are placed, on all the lines of Canal, who give security to the Commonwealth, for the faithful performance of their duty, and who have personal cognizance of matters, requiring the disbursement of money. These agents can bestow their time and attention on matters entrusted to their superintendence, with advantage to the Commonwealth, and with satisfaction to the individuals, who have claims for damages, arising from the construction of the Canal. The Commissioners therefore hope, that no alterations will be made in the existing laws relative to the Improvement fund.

Very respectfully, Yours, &c.

SAMUEL MCKEAN,  
DANIEL STURGEON,  
A. MAHON, *Commissioners.*

#### DIED.

In Lehman, Luzerne county, Pa. on Friday, the 11th November, ABRAHAM PIKE, aged 87. The deceased was among the first settlers of the Valley of Wyoming, and was in the memorable battle of 1778, with the Tories and Indians, and narrowly made his escape, after being wounded, by swimming down the river 3 miles to Forty-fort, where he was taken into the fort by his companions who had survived the general massacre. He was captured by a party of ten Indians, in March 1779, together with two men and a boy, and was taken up the Susquehanna about 60 miles,\* where the Indians first halted and encamped for the night; the prisoners were secured by the savages, and Pike was placed between two large Indians, and as soon as he found they were asleep, he cautiously arose and unloosed his companions, made a simultaneous attack on the savages, and left seven of them dead on the ground. They then collected what provisions they could and returned to the Valley, after experiencing all the hardships incident to the season. Since that time until his death, he has resided in the Valley, celebrated for his heroic deeds, and respected for his sincere attachment to his country.—[Communicated for the Susquehanna Democrat.

\* Mouth of Meshoppen creek, 40 miles from Wilkes-barre.

I knew "OLD PIKE," as he was called, well. I wonder how he lived so long. For many years that I was acquainted with him he never was sober one minute longer than he could get liquor enough to stupify himself. He was doubtless brave as a total absence of fear could make a man. Several times he came to me to



WOOD LAWN, 5th Dec. 1831.

DEAR SIR—Your friendly letter on the subject of the Bank of the United States, has been received by the course of mail. The opinion which I formed of the constitutionality and expediency of the Bank of the United States when I was a member of the Senate, was the result of a careful examination of the constitution of the United States, made without any preconceived opinions. That opinion is recorded in two speeches which I made in the Senate in the year 1811. Since that time I had no occasion of reviewing the question. My opinion remains unaltered. I was Secretary of the Treasury more than eight years, and during that time I had ample evidence of the great utility of the Bank of the United States, in managing the fiscal concerns of the Union.

I am persuaded that no man, whatever his preconceived opinions may be, can preside over the Treasury one year, without being deeply impressed with the expediency of the Bank of the United States, in conducting the finances of the Union. The provision in the constitution which gives Congress the power to pass all laws which may be necessary and proper to carry into effect the enumerated powers; gives Congress the right to pass the Bank bill, unless a law most proper to carry into effect, the power to collect and distribute revenue, should be excluded by that provision. The opponents of the constitutionality of the Bank, place great stress upon the word necessary, contained in the grant of power, and insist that no law can be necessary, but such, that without which the power could not be carried into effect. Now this construction appears to me

relate his adventures, which I was to minute down for publication: But he could remember nothing till he got "in each cheek a highland gill," and then he became so noisy and obstreperous it was impossible to make out a connected story.

Pike was born in Ireland, and came with the British army a soldier, to Boston, at the beginning of the Revolutionary war. His brother was in the same regiment. The dog of an officer attacked his brother, who in self defence struck him; when the enraged officer made some threat which was answered by a passionate declaration that he would kill his dog and him too if they attacked him. For this a Court Martial awarded the poor fellow 600 lashes, under the infliction of which he died. Pike swore vengeance, if in his power; but no opportunity presenting, he deserted, and fixed himself at Wyoming, where he performed the deeds related by the paragraph above.

He told me the whole band, and prisoners, overcome with fatigue, had sunk into sleep, except the old Indian who kept guard. He sat, his back towards Pike, on a log, hovering over the fire, nodding, yet holding in his hand a deer's head, which he had been picking.—Loosening himself, Pike seized the old man's spear, and thrust it through him. He gave one deep groan and fell into the fire. Springing then to his companions he cut their fastenings—seized the guns and put them aside—and tomahawked two Indians before the others became aroused to their danger. All this was the work of a minute. One of his companions instead of aiding, half dead with affright, remained on his knees praying. Several of the Indians were killed and others wounded. Finding their arms gone they fled. One, many years afterwards, was seen by the late Judge Hollenback, in the Genesee country, who spoke of the affair, and showed the scar of a desperate wound he had received on the neck. Another, badly wounded perished in the wilderness. I think but two escaped, and Pike came into the settlement with the arms of the enemy as his trophies. Every body, of course, liked to hear him tell his story and to treat him. A sounder headed man might have been overthrown by so much flattery and whiskey as were voluntarily proffered to "OLD PIKE THE INDIAN KILLER."—*Village Record*.

to be indefensible. It does seem to me, that the words "necessary and proper" cannot exclude a law that is most proper to carry the power into effect. Yet the unconstitutionality of the bank can be pronounced only upon that construction. It does appear to me that the framers of the constitution never could have intended to exclude the passage of a law most proper to carry a power into effect, because it might be carried imperfectly into effect by another law. My construction of the grant of power to pass all laws which may be necessary to carry the enumerated powers into effect, includes the power to pass all laws which are necessary and proper to carry the enumerated powers into effect in the most perfect and complete manner, and not in an incomplete and imperfect manner.

I have not seen a complete development of the President's plan of a Bank. It is possible that by his plan the transmission of the revenue may be effected, but the safety of the public deposits cannot be effected by the President's plan. The advantage of this security to the public is incalculable. It ought not to be relinquished, unless it can be satisfactorily proved that the Bank of the United States is unconstitutional.

This I think, cannot be satisfactorily shown. My speeches are recorded and can be re-published if necessary. They contain the result of the best investigation I was able to give the subject. I am persuaded I could not improve upon it now, if I had the means of investigating the subject, which I have not.

I am, Sir, your friend, &c.

WM. H. CRAWFORD.

CHARLES JARED INGERSOLL, Esq.

## THE REGISTER.

DECEMBER 31, 1831.

During the late severe season, an unusual number of aged and respectable citizens have been removed by death—among the most prominent of these was Stephen Girard Esq. Banker and Merchant—and probably the most wealthy individual in the United States. Much anxiety has been manifested, to ascertain the mode in which he has disposed of his immense property, but as the will has not yet been made public, we deem it useless to record the numerous reports in circulation—it is generally, however, understood, that the city and public institutions, will receive a large portion of it.

His funeral was attended yesterday, by an immense concourse of citizens, and different societies. We subjoin a short sketch of this distinguished individual, from the Pennsylvania Whig, also the proceedings of the Select and Common Councils.

His remains were interred in the burial ground of the Trinity Church, N. W. corner of Sixth and Spruce sts.

### MR. GIRARD.

We find, in the Pennsylvania Whig of Wednesday, the subjoined particulars of the life and character of the late Stephen Girard.

"Mr. Girard commenced with 'small beginnings.' At first a cabin boy; then a mate of a ship; then keeper of a small tap shop, where he retailed drams and segars; he successively rose to the rank of the first merchant, and the most opulent banker in the country. 'Industry and frugality,' was his motto; *business* was with him a *passion*; and like all who devote themselves with enthusiasm to any pursuit, he was gifted with genius for his profession.

"At the time, or rather just prior to the expiration of the charter of the old bank of United States, 1811, Mr. Girard had instructed Barings to purchase for him

\$1,200,000 worth of its stock; and with this he commenced banking under the superintendence of the late Gen. Simpson, the Cashier of that institution, to whom he confided its transactions. This was in 1812, since which his bank capital has increased to five millions."

"Mr. Girard was in the 84th year of his age, according to his own account, given to the father of the editor of this paper."

"Mr. Girard was a native of Bordeaux, in France, where he has still living, we believe, a brother and sister. He has three nieces married in this city, and several nephews likewise.

"In the Yellow Fever in 1793, Mr. Girard was distinguished for his active benevolence at the Bush Hill Hospital, in ministering to the sick, and devising plans for the prevention and restriction of contagion.

"We understand the business of Mr. Girard will suffer no interruption by his death; that his Bank will continue its operations; and his buildings on his Market-street Square progress to an imposing, elegant and useful completion.

"The habits of Mr. Girard were exclusively those of the man of business. He had no pleasures, but in the performance of active duties, always to be found busy in his counting room, or bustling on his farm, for he was also fond of Agriculture; feeding his own cattle, curing his own beef, and even bestowing his attention on the culture of a vegetable garden, the produce of which he caused to be taken to market. His fruits and his flowers were also of the most choice kind. But in his hands, for his was the touch of Midas, every thing was turned into gold; and fruits, flowers, vegetables, ships, houses, lots, Bank, and all, contributed in the end, to pour millions in his lap. Like all men of immense wealth, it was his peculiar delight, to cast his eyes over the aggregate of his millions. But he took most pleasure in adding house to house, lot to lot, until he could count his squares of buildings, and found it impossible to count the number of his deeds, parchments and warrants. To the Schuylkill Navigation Company he was an efficient friend, in the hour of need as well as to the Chesapeake Canal Co. and other public works of vast importance, and lasting utility."

Thursday Afternoon, Dec. 29, 1831.

#### SPECIAL MEETING.

SELECT COUNCIL.—MR. DUANE offered the following preamble and resolutions, which were unanimously adopted, and subsequently unanimously adopted by the Common Council.

The members of the Select and Common Councils, of the city of Philadelphia, learn with deep sorrow, that their venerable and esteemed fellow citizen, STEPHEN GIRARD, has departed forever from the scene of his long and memorable usefulness: Contemplating the humility of his origin, and contrasting therewith the ultimate variety and extent of his wealth and works, the mind is filled with admiration of the man, and profoundly impressed with the value of his example. Numerous and solid as the edifices are, which he constructed in the city and precincts of Philadelphia, they will constitute but a transitory record of what he was, when compared with the mural influence that must arise from a knowledge of the merits and means, by which he acquired his immense estate. Those merit and means were probity of the strictest kind, diligence unsurpassed, perseverance in all pursuits, and a frugality as remote from parsimony as from extravagance. The goodness of his heart was not manifested by ostentatious subscriptions or loud professions—but when pestilence stalked abroad, Stephen Girard risked his life to preserve from its ravages the most humble of his fellow creatures; and whenever sorrow, unaccompanied by immorality, approached his door, it was thrown wide open; his person, his habits, and his home evinced his love of what was simple, and his disregard of ostenta-

tion. Above all men most able to revel in luxury, or to roll in a splendid equipage, he fared at all times alike, and within a few days of his death, rode in the style of a plain farmer, rather than that of a rich banker, he was a devoted friend to those principles of civil and religious liberty, which form the basis of the political fabric of his adopted country; and when in the course of the last war the credit of that country was impaired, he mainly contributed to arrest the threatened consequences: To say all this is but to aver what all those of mature age in this city must know or have heard.

Resolved, That the Clerks of the Councils be and they are hereby instructed to cause the respective halls to be hung with mourning, as a mark of respect to the memory of STEPHEN GIRARD, Esq.

COMMON COUNCIL.—MR. MURRAY offered the annexed preamble and resolution, which were agreed to.

Philadelphia, Dec. 29th 1831.

Whereas, in the death of STEPHEN GIRARD, Esq. the city of Philadelphia has sustained the loss of one of its most distinguished and useful citizens, to whose public spirit and enlarged views during a long life, this community is deeply indebted for many and important public benefits.

Therefore resolved, That as a mark of the respect and consideration entertained for the memory of this public benefactor, the members of Councils will meet at the Council Chamber, at 10 o'clock, on Friday morning, the 30th inst. and from thence proceed as a body to attend the funeral of our deeply lamented and distinguished fellow citizen.

The different plans and estimates relative to WILLS' HOSPITAL, were referred to the Committee on that subject, with directions to report which in their estimation is the most worthy of the first premium, and that which deserves the second premium offered by these bodies.

Councils adjourned to meet on Saturday evening next.—*Phila. Gaz.*

Another public loss has likewise been sustained during the present week, in the death of the Rev. Joseph Sanford, Pastor of the Second Presbyterian Church. On Wednesday, notwithstanding the snow storm at the time, his funeral was very numerously attended, by the members of his congregation and others. His remains were conveyed to the church of which he was lately pastor, where, a funeral sermon was delivered by the Rev. Dr. McAuley. An interesting sketch was given of the life and labours of the deceased, which, (or some other) account of this excellent man, we hope hereafter to record. His body was then conveyed to the burial ground in Arch st. and interred in the family vault of one of the elders of the church.

The present number, with the Index which accompanies it, closes the 8th volume of the Register—and completes the fourth year of our editorial career. Were it in our power to say that the encouragement afforded, kept pace with the rapidity with which our pages accumulate, we should feel, upon approaching the labours of a new volume—much invigorated. One more appeal to the public, would we make—upon its success will depend the continuance of the Register, beyond the period to be embraced in the volume, upon which we propose to enter, the ensuing week. We respectfully invite subscriptions. The previous 8 volumes can still be furnished, either bound, or in numbers. Price of the former \$3 per vol.—of the latter \$5 per annum.

B.A. Mitchell.

1891. S. S.



B. A. Mitchell

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